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Eastern Area Planning Committee

Date: Wednesday, 23 July 2025
Time: 10.00 am
Venue: The Allendale Centre, Hanham Road, Wimborne, Dorset, BH21 1AS

Members (Quorum: 6)
David Tooke (Chair), Duncan Sowry-House (Vice-Chair), Alex Brenton, Toni Coombs, Beryl Ezzard, Scott Florek, Spencer Flower, Barry Goringe, Hannah Hobbs-Chell, David Morgan, Julie Robinson and Andy Skeats

Interim Chief Executive: Sam Crowe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services
Meeting Contact joshua.kennedy@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda. If you would like to attend this meeting and have any specific requirements please contact the Democratic Services Officer named above.

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Agenda

Item **Pages**

1. APOLOGIES

To receive any apologies for absence

2. DECLARATIONS OF INTEREST

To disclose any pecuniary, other registrable or personal interest as set out in the adopted Code of Conduct. In making their decision councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

3. MINUTES 5 - 14

To confirm the minutes of the meeting held on 04 June 2025.

4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

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. Guide to Public Speaking at Planning Committee

The deadline for notifying a request to speak is 8.30am Monday 21 July 2025.

5. P/FUL/2023/02215 - HINTON MILL FARM HINTON PARVA DORSET BH21 4JG 15 - 44

Change of Use and Conversion of Four Existing Agricultural Buildings to Class C3 Residential Use Comprising 9 Dwellinghouses, Demolition of Redundant Outbuildings, Provision of Parking and Landscaping and Drainage Infrastructure.

6. P/FUL/2024/01993 - HIGH LEA FARM, WITCHAMPTON LANE, WITCHAMPTON, DORSET, BH21 5AA 45 - 72

Demolish remaining agricultural buildings and change the use and conversion of 3 No. Existing Agricultural Buildings to 5 No. Dwellings (Class C3) with associated parking and erect 2 no. car ports.

7. P/FUL/2022/06238 - ARNE COTTAGE, DORCHESTER ROAD, WOOL, WAREHAM, BH20 6EJ 73 - 90

Erect two new dwellings to the rear of the existing building.

8. P/FUL/2024/01770 - 15 CHURCHILL CLOSE, STURMINSTER MARSHALL, BH21 4BQ 91 - 110

Demolish the garage, sever land and erect a 2-bedroom bungalow with shared vehicular access and parking.

9. P/FUL/2024/07588 - 47 BROOK LANE, CORFE MULLEN, BH21 3RD 111 - 128

Erect a replacement dwelling, garage and cycle store on the southern side of the applicant land to the area outlined in red and shown as Plot A on the site/block plan.

10. P/FUL/2025/00387 - 47 BROOK LANE, CORFE MULLEN, BH21 3RD 129 - 146

Erect a replacement dwelling with detached garage and detached cycle store. Form new access. Demolish remaining existing.

11. **P/HOU/2025/02317 - BLACKHILL COTTAGE, SHITTERTON ROAD, BERE REGIS, WAREHAM, BH20 7HU** 147 - 160

Retained use of the outbuilding and proposed changes to facing materials and ridge height to mitigate reasons for refusal of application P/COU/2021/04183 (Change of Use of Land from Agricultural to an ancillary garden use).

12. **P/HOU/2025/01935 - LITTLE HAYTHORNE, HORTON ROAD, CHURCH HILL WOODLANDS TO HORTON LANE WOODLANDS, BH21 7JG** 161 - 172

Retain garage.

13. **P/FUL/2025/02132 - ST CATHERINES ROMAN CATHOLIC FIRST SCHOOL, CUTLERS PLACE, COLEHILL, BH21 2HN** 173 - 180

Installation of 2no windcatchers to school hall roof.

14. **P/FUL/2025/02071 - FERNDOWN COUNTY MIDDLE SCHOOL, CHURCH ROAD, FERNDOWN, BH22 9ET** 181 - 188

Removal of existing fencing and erection of new 2.4m and 3m weldmesh fencing.

15. **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.

16. **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 x 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.

There are no exempt items scheduled for this meeting.

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Dorset Council

EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 4 JUNE 2025

Present: Cllrs David Tooke (Chair), Duncan Sowry-House (Vice-Chair), Alex Brenton, Toni Coombs, Beryl Ezzard, Scott Florek, Spencer Flower, Barry Goringe, David Morgan, Julie Robinson and Andy Skeats

Apologies: Cllrs Hannah Hobbs-Chell

Officers present (for all or part of the meeting):
Elizabeth Adams (Development Management Team Leader), Kelly Allingham (Planning Officer), Marianne Ashworth (Lawyer - Regulatory), James Brightman (Senior Planning Officer), Kim Cowell (Development Management Area Manager (East)), Philip Crowther (Legal Business Partner - Regulatory), John Miles (Democratic Services Officer) and Megan Rochester (Senior Democratic Services Officer)

1. **Declarations of Interest**

Cllr Duncan Sowry-House declared an interest to agenda item 6, in which he had declared that he was the Local Ward Member and had been in discussion with residents. Therefore, it was agreed that he would not take part in the debate or vote but would speak as the Local Ward Member.

2. **Minutes**

The minutes of the meeting held on Wednesday 30th April 2025 were confirmed and signed.

3. **Registration for public speaking and statements**

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

4. **P/FUL/2024/06284 - 47 Woolsbridge Road St Leonards and St Ives BH24 2LT**

The Case Officer used plans and aerial photographs to identify the site and explained the proposal, relevant planning policies, and site context. The proposed dwellings featured traditional design elements including brick walls, tiled roofs, inset windows, and chimney detailing. Visuals demonstrated that the design aligned with the surrounding street scene. The principle of development was

considered acceptable. The scale, design, and spacing were appropriate and caused no harm to local character. The proposal complied with the Christchurch and East Dorset Local Plan (CED)Policy LN2 by achieving suitable density and providing adequate internal and external amenity space in accordance with national standards. Separation distances, including 24m to the northwest, were deemed sufficient. Obscure glazing, which was included in Conditions 12 & 13, were also proposed to mitigate overlooking. The landscaping condition was amended to include a requirement to erect 1.8m high close-boarded fencing on the site's boundary with 45 Woolsbridge road.

Flood risk was assessed as low based on site-specific groundwater monitoring. A surface water management strategy was proposed and accepted by the Council's drainage engineers, meeting the requirements of CED Policy ME6 and Section 14 of the NPPF. Nine on-site parking spaces were provided, and any additional on-street parking would serve as traffic calming. No protected trees were present, and the scheme maintained an appropriate relationship with surrounding vegetation, in line with CED Policy HE2. The ecological impact on Dorset Heathlands and the New Forest Special Conservation Area was acknowledged and the officer recommendation relied on completion a planning obligation in this respect. The proposal also addressed identified national and local housing needs.

Public Participation

Roy Burgess objected to the proposal, citing the Parish Council's concerns about overdevelopment in an area largely comprised of bungalows. He raised concerns about garages positioned near the boundary, the need for boundary screening and the potential impact of construction on roots of existing cherry and laurel trees growing close to the site boundary. While not opposed to development of the plot, he considered a bungalow more appropriate and suggested modifications were needed.

Giles Moir, on behalf of Ashley Limited, thanked the Committee and noted close collaboration with Case Officers, including pre-application advice. He highlighted the site's urban location and the contribution the proposal would make toward Dorset's housing need, particularly for family homes. The agent emphasised the scheme's quick delivery, quality chalet-style design, adequate separation distances, and off-street parking. He acknowledged the proposed obscure glazing condition and noted no objections apart from the Parish Council. He expressed hope for the Committee's support.

Members questions and comments

- Members emphasised the importance of protecting tree and hedge roots during construction and requested an informative note to ensure appropriate measures were taken
- Clarification was sought on the dimensions of the proposed garages.
- Members thanked the Case Officer for a comprehensive report, noting the site had remained vacant and neglected for several years. They welcomed the revised scheme proposing three dwellings, which were considered to complement the properties opposite.
- Additional planning conditions were requested by way of an amendment to the existing landscaping condition to secure hard landscaping details and provision for fencing.

- Although there was no mandatory requirement for sustainability features, members expressed disappointment at the absence of solar panels and considered it a missed opportunity.
- Clarification was requested regarding the location and size of windows with obscure glazing. Cllr Coombs noted that no floor plan had been provided and raised concerns about a secondary window not providing adequate outlook. The information did not alleviate their unease.
- Members shared concerns previously raised, particularly regarding the lack of sustainable materials and the constraints of plot 2. Garage sizes were also raised as a concern.
- The need for sustainable development was highlighted. Members referenced the goal of achieving net zero and expressed the view that future policies, including a revised Local Plan under the new administration, should mandate the inclusion of sustainable materials such as solar panels.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to grant as recommended, was proposed by Cllr Barry Goringe, and seconded by Cllr Spencer Flower, subject to conditions set out in the officer report and additional landscaping conditions and tree/shrub root protection during construction.

Decision: GRANT, subject to receipt of a satisfactory legal agreement to provide the necessary mitigation for the proposal's impact on the New Forest National Park Special Protection Area, Special Area of Conservation, Site of Special Scientific Interest & Ramsar site and the conditions as set out at the end of the report. As well as an amendment to landscaping condition 7 and an Informative note regarding root protection during construction.

or

B) REFUSE permission for the reason set out within the report if the agreement is not completed by 4 December 2025 (6 months from the date of committee) or such extended time as agreed by the Head of Planning.

5. **P/FUL/2024/04192 - 113 Wimborne Road Corfe Mullen BH21 3DU**

The Case Officer, using a visual presentation with plans and aerial photographs, identified the site and outlined the proposal and relevant planning policies. It was noted that tree felling, and site clearance had occurred prior to the application; while the trees were not protected, they contributed to the character of the area. Pre-application advice had been sought, during which officers confirmed the principle of development was acceptable, though three-bedroom units were encouraged to meet need identified by the strategic housing market assessment (SHMA).

The submitted site plan considered objections from the Town Council and residents. It included a robust planting scheme with established trees to provide a transitional buffer between rural and developed land. While the Town Council identified a need for two-three-bedroom homes, the generous unit sizes and site context justified a departure from that guidance. Proposed materials and finishes were detailed, with finished floor levels and ridge heights slightly higher than existing dwellings. A site section demonstrated the relationship between Unit 4 and Candy's Close, showing a similar design and roof profile to avoid any overbearing impact. No loss of sunlight was identified.

A separation of approximately 10m between existing and proposed dwellings was confirmed, supported by photographic evidence. Landscaping and boundary fencing formed a key part of the scheme. Existing floor plans and elevations of 113 Wimborne Road were presented. The Highways Team raised no concerns, noting the inclusion of a raised traffic calming platform and reliance on garage and driveway parking, with additional visitor spaces provided. The site was considered sustainably located within the settlement boundary. No significant harm was identified, and the recommendation was for approval, subject to conditions.

Public Participation

Ben Bolton, a local resident, objected to the proposal, stating the ecological report incorrectly claimed the site clearance was undertaken by the previous owner, when it was carried out by the developers. He raised concerns over the lack of a rural survey and limited access to sustainable transport, noting few local amenities and a reliance on cars, particularly for elderly residents and families with young children. He described the access lane to Wimborne Road as narrow and unsafe, referencing two previous accidents. He also cited flood risk due to high groundwater levels. Finally, he criticised the way the site was cleared, noting trees were destroyed without warning or regard for nearby families, raising concerns about the developer's future conduct and lack of due diligence.

Jackie Bonham thanked the Committee for the opportunity to speak. She described the site as a previously thriving habitat, which had been suddenly cleared, causing damage. She noted the presence of protected and priority species, including orchids and bats, and stated that actions taken had resulted in habitat loss. Ms. Bonham emphasised the need to prioritise 2- and 3-bedroom homes and stressed that new developments must respect the character of the area. She urged officers to enforce biodiversity net gain and expressed that developers should be held accountable for the loss of mature trees, which she described as more than mere scenery.

Julian Biles raised serious concerns for family safety, noting that pedestrian and vehicle movements would occur just feet from their home. He highlighted that the narrow access was inadequately addressed and questioned how wheelchair and pushchair users would safely navigate the area. He emphasised that what works for one household would not be sufficient for multiple dwellings and stated that parking provisions were inadequate. He concluded that the development posed a threat.

The agent Ken Parke spoke in support of the proposal, noting the large site was currently occupied by a single dwelling. He described the scheme as well-

designed, providing good-sized 2- and 3-bedroom houses with a sufficient layout that met policy requirements. Mr Parke acknowledged concerns about site clearance but confirmed no wrongdoing had occurred. He stated the proposal met biodiversity and highways requirements and highlighted that flood risk had been thoroughly assessed and was low. Development was expected to alleviate existing issues. He advised on energy efficiency and urged members to support the officer's recommendation.

Cllr Duncan Sowry-House urged refusal of the proposal, stating it failed to reflect the character of the area. He noted mature trees had been removed and referenced NPPF Section 16 on environmental protection. He highlighted the devastating impact of site clearance on protected species and argued that developments should enhance local character, which this proposal did not.
The Local Ward Member raised significant access and safety concerns, stating this contradicted policy. He also cited surface water flooding risks, noting flooding had already occurred. Cllr Sowry-House concluded that the proposal undermined both local and national policies and respectfully urged the Committee to refuse permission.

Members questions and comments

- Clarified no space existed as indicated in the report.
- Raised concerns about inadequate site access and poor visibility splays.
- Questioned whether the track width was sufficient for refuse and emergency vehicles.
- Noted absence of a waste condition; requested submission of a waste management plan.
- Acknowledged the density of the scheme was appropriate to the area's character.
- Cllr A Skeats Suggested consideration of a site visit.
- Presumed access track would remain a private drive; questioned whether Dorset Waste would collect from private drives.
- Raised concerns about compliance with building regulations.
- Noted several accidents had occurred on the existing road.
- Reported concerns from Parish Council, local ward member, and residents regarding biodiversity and access.
- Expressed no concerns over design but deemed access inadequate.
- Mentioned proximity of proposed access to another development's access near the site entrance and potential conflict by adding an additional driveway.
- Noted track length of 50 metres.
- Questioned whether density was calculated by number of dwellings per hectare or footprint, noting inconsistency with the area.
- Requested clarification on ownership of land containing hedging adjacent to access.
- Accepted officer's reasoning regarding overdevelopment

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting,

a motion to **REFUSE** the officer's recommendation to grant as recommended, was proposed by Cllr Spencer Flower, and seconded by Cllr Andy Skeats, subject to inadequate access.

Decision: To refuse planning permission due to the proposed access. Due to its narrow width for a substantial length, was inadequate for the quantum of development proposed, would fail to provide safe access for drivers, pedestrians and cyclists and may lead to conflict due to the presence of other accesses close to the site frontage. The development was therefore contrary to policies KS11 and HE2 of the Christchurch and East Dorset Local Plan 2014 and paragraph 135 of the National Planning Policy Framework.

6. **P/FUL/2024/05148 - Lonnen Nurseries Lonnen Road Colehill Wimborne BH21 7AZ**

The Case Officer, supported by a visual presentation including plans and aerial photographs, identified the site and outlined the proposal and relevant planning policies. The site was located within the Green Belt. The principle of development was considered acceptable under infill provisions and the site plan showed use of the existing access. Proposed elevations and separation distances demonstrated there would be no harmful overlooking, including from the proposed rear balcony, due to sufficient spacing. It was noted that the southern part of the site could be susceptible to high groundwater levels. The site was well-treed, and a 30-year biodiversity management plan was proposed to ensure appropriate enhancement and maintenance of biodiversity net gain. The location's sustainability was assessed with reference to Policy KS2. Although within the Green Belt, the site's proximity to the settlement and the current housing land supply position were considered. Officers concluded there were no grounds to warrant refusal.

Public Participation
Chris Miell a chartered town planner and former planning Inspector with over 10 years' experience, speaking as agent on the application addressed objections regarding flooding and Green Belt. He noted no public objections and described the proposal as modest infill development near Colehill, improving existing land use. The massing and design were consistent with the area and similar developments. He confirmed no flood risk and that a sequential test was unnecessary. He found no planning reasons to refuse and no conflict with the NPPF, urging the Committee to approve in line with officer recommendations.

Members questions and comments

- Sought clarification on whether outbuildings included garden sheds.
- Expressed support for the proposed ground treatment, woodland management plan, and inclusion of a pond, describing it as a sensible, self-contained approach.
- Noted that infilling in the Green Belt would complete the village.
- Referred to Condition 11 concerning the temporary caravan.
- Requested clarification on Condition 6 regarding cellular confinement.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and

presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to grant as recommended, was proposed by Cllr Toni Coombs, and seconded by Cllr David Morgan, subject to conditions set out in the officer report.

Decision: To grant for the reasons set out in the officer's report.

7. **P/FUL/2024/07471 - South Hyde, The Hyde, Langton Matravers, BH19 3HE**

The Case Officer, supported by plans and aerial photographs, identified the site and explained the proposal and relevant planning policies. The site was located just south of the defined settlement boundary and involved the replacement of a long-vacant dwelling. Access was via a private drive, with open fields to the south. The site was visible from several public rights of way, and the removal of trees had increased visibility of the existing structure. Two adjacent trees were noted on neighbouring land.

The site context plan and history of refused applications were presented, demonstrating how previous reasons for refusal had been addressed. The proposed site plan reflected pre-application advice and included a reduced footprint. Proposed elevations were compared with the previously refused scheme. Materials and the addition of rear-facing solar panels were highlighted. The Highway Engineer raised no objections, and no harm to residential amenity was identified. Drainage had been a key concern, and the officer outlined the measures taken to resolve this. The application was for a self-build dwelling. Biodiversity replacement measures had been secured through an ecological assessment.

Public Participation
Giles Moir stated the applicants were not commercial developers but building a family home. He noted refusal related to biodiversity details, not planning principle. Pre-application advice led to reduced scale and use of materials reflecting the area's character. He raised no objection, subject to conditions. Tree felling occurred before the applicants owned the site; the current scheme included new tree planting and solar panels. Surface water disposal and drainage were addressed. He concluded the proposal enhanced the area and provided a new home for the applicants.

Members questions and comments

- Noted the applicant had collaborated and sought professional advice, taking comments on board.
- Welcomed the inclusion of water butts in the proposal.
- Identified surface water as the only issue, but acknowledged the report was comprehensive.
- Commended planning officers for their efforts in producing a more suitable application.
- Referenced concerns previously raised by the Parish Council.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and

presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to grant as recommended, was proposed by Cllr Andy Skeats, and seconded by Cllr Beryl Ezzard, subject to conditions set out in the officer report.

Decision: To grant subject to a s106, either Recommendation

A) Grant, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services manager to secure the following: (i) The Biodiversity Net Gain (BNG) self-build exemption and (ii) A payment of £4,826 as financial compensation for the loss of trees and scrub habitat on the site.

Or

B) REFUSE permission for the reasons set out within the report if the agreement was not completed by 4 February 2026 or such extended time as agreed by the Head of Planning.

In accordance with Procedural Rule 8.1 the committee voted to extend the duration of the meeting.

8. **P/HOU/2025/01603 - 46 West Street, Wareham, BH20 4JZ**

The Case Officer, using plans and aerial photographs, identified the site and outlined the proposal and relevant planning policies. The site was located near the centre of Wareham. The proposal involved the erection of a single garage with access from the rear. Site photographs showed the relationship to an existing large garage on the neighbouring property. Existing and proposed plans were presented, noting that views were largely screened by a boundary wall, though the eastern elevation would be partially visible from New Road. The proposed garage was modest in scale, set back from the boundary, and not considered to cause harm to neighbouring amenity.

Public Participation
There was no public participation.

Members questions and comments

- Noted no objections were received; site notices were posted.
- Confirmed no comments were received from the local ward member.
- Local ward member confirmed she had no objections.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to grant as recommended, was proposed by Cllr Duncan Sowry-House, and seconded by Cllr Spencer Flower, subject to conditions set out in the officer report.

Decision: To grant for the reasons set out in the officer's report.

9. **P/LBC/2025/01488 - East Dorset Heritage Trust Allendale House Hanham Road Wimborne Minster BH21 1AS**

The Case Officer, with the aid of plans and aerial photographs, identified the site and outlined the dual application and relevant planning policies. The site was accessed via Hanham Road and located within the Wimborne Conservation Area and is a Grade II listed building. No changes were proposed to existing parking arrangements. The proposal included the installation of two bollards opposite a turning circle to regulate access to a private car park for authorised users only, via a mobile app Photographs were presented showing the car park and surrounding context. No objections were received. The application also proposed the rebuilding of a red brick boundary wall to the west of the site, forming part of the landscape boundary. Recycled bricks were to be used to match the existing character. Additional photographs illustrated the current condition and design context.

Public Participation
There was no public participation.

Members questions and comments

- Raised issue regarding use of mobile phone app while driving.
- Noted matter related to a private highway.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to grant as recommended, was proposed by Cllr Spencer Flower, and seconded by Cllr Toni Coombs, subject to conditions set out in the officer report.

Decision: To grant permission for the reasons set out in the officer's report.

10. **P/FUL/2025/01489 - East Dorset Heritage Trust Allendale House Hanham Road Wimborne Minster BH21 1AS**

The Case Officer, with the aid of plans and aerial photographs, identified the site and outlined the dual application and relevant planning policies. The site was accessed via Hanham Road and located within the Wimborne Conservation Area. No changes were proposed to existing parking arrangements. The proposal included the installation of two bollards opposite a turning circle to regulate access to a private car park for authorised users only, via a mobile app Photographs were presented showing the car park and surrounding context. No objections were received. The application also proposed the rebuilding of a red brick boundary wall to the west of the site, forming part of the landscape boundary. Recycled bricks were to be used to match the existing character. Additional photographs illustrated the current condition and design context

Public Participation
There was no public participation.

Members questions and comments
There were no questions or comments.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to grant as recommended, was proposed by Cllr Spencer Flower, and seconded by Cllr Toni Coombs, subject to conditions set out in the officer report.

Decision: To grant permission for the reasons set out in the officer's report.

11. **Urgent items**

There were no urgent items.

12. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 10.00 am - 1.02 pm

Chairman

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Application Number:	P/FUL/2023/02215		
Webpage:	Planning application: P/FUL/2023/02215 - dorsetforyou.com		
Site address:	Hinton Mill Farm Hinton Parva Dorset BH21 4JG		
Proposal:	Change of Use and Conversion of Four Existing Agricultural Buildings to Class C3 Residential Use Comprising 9 Dwellinghouses, Demolition of Redundant Outbuildings, Provision of Parking and Landscaping and Drainage Infrastructure		
Applicant name:	Gaunts Estate		
Case Officer:	Nikki Clayton		
Ward Member(s):	Cllr Chakawhata		
Publicity expiry date:	21 September 2023	**Officer site visit date:**	6 October 2023
Decision due date:	31 January 2025	**Ext(s) of time:**	31 January 2025
No of Site Notices:	X2		
SN displayed reasoning:	Two site notices were displayed to publicise the application for planning permission.		

1.0 The application is before the planning committee at the request of the Committee Chair.

2.0 Summary of recommendation:

Grant subject to conditions as set out at the end of this report and the completion of a legal agreement to secure the affordable housing contribution, or, if no agreement is completed then refuse for failure to comply with affordable housing policy LN3.

3.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable – The proposal will re-use existing buildings and provide enhancement to the immediate setting of the buildings in accordance with Paragraph 84 of the NPPF.

Scale, design, impact on character and appearance	Acceptable - The proposal is considered to accord with Local Plan Policies HE2 and HE3.
Impact on the living conditions of the occupants and neighbouring properties	Acceptable- the proposal is in accordance with Local Plan Policy HE2 and NPPF paragraph 135 which require development to be compatible with its surroundings including avoiding adverse impacts on neighbouring amenity.
Impact on landscape or heritage assets	Acceptable- The proposal appropriately responds to its context and would not have a harmful impact on the National Landscape in accordance with Local Plan Policy HE3.
Layout and density	Acceptable- The proposed development reuses existing building to contribute towards attaining a sustainable and balanced housing market.
Flood risk and drainage	Acceptable- The application was supported by satisfactory site specific data to demonstrate no groundwater risk; the proposal does not conflict with local policy ME6.
Economic benefits	The proposal will add nine additional dwellings to the housing land supply with associated economic and social benefits.
Highway Safety, Access and Parking	Acceptable- The Highway Authority has advised that the proposal does not present a material harm to the transport network or to highway safety subject to safeguarding conditions being imposed. The layout proposed would allow good access to the dwellings by foot, bicycle and vehicle and the amount of parking provision and its mix of allocated, unallocated and visitor spaces complies with the Dorset Residential Parking Guidance.
Biodiversity	Acceptable- The Council's Natural Environment Team have approved the proposed Biodiversity Mitigation Plan and Officers are satisfied that the impact of the development on any protected species can be adequately mitigated by condition.
Contamination	Acceptable- The Council's Environmental Protection team are satisfied that the impact of development can be safely managed by condition.

5.0 Description of Site

Site description

The application site is agricultural land situated in the rural hamlet of Hinton Parva which is a small group of houses to the northwest of Stanbridge. It is located outside any settlement boundary listed in Policy KS2 of the Christchurch and East Dorset Core Strategy and is within the Cranborne Chase National Landscape (Area of Outstanding Natural Beauty (AONB)). The site is within 5km of protected Sites of Special Scientific Interest (SSSIs).

The submitted Planning Design & Access Statement (PDAS) advises that the application site was previously used for general agricultural purposes and was a dairy (as part of the Gaunts Estate). The dairy operation has now ceased and the PDAS states the buildings are no longer needed for agriculture by the Estate.

None of the buildings on the site are listed or have heritage value.

The access to the site is provided by a lane that serves the hamlet and joins the Cranborne Rd to the southeast. This is predominately single track and rural in character. There are dwellings immediately adjacent to the northwest of the site at Dairy Cottages and a further dwelling to the west at Hinton Mill Farm.

The adjoining site has permission to change the use of and convert four existing agricultural buildings to Class C3 Residential Use to provide 9 dwellings, with associated alterations to other outbuildings to provide parking and storage. This includes the construction of a new car port adjacent to Units B3 & B4. Demolition of redundant and derelict buildings and landscaping enhancements are also proposed. These works are underway.

6.0 Description of Development

The change of use of five redundant former agricultural buildings to form a scheme of 9 dwellinghouses. The buildings are identified on the submitted plans as Barn A (Buildings 1&2), Barn B (Buildings 3&4) and Barn C (Building 5). The remaining structures, Buildings 6, 7 and 8, are all proposed to be demolished as part of the proposed development.

The site will be accessed and serviced from the existing access only lane, which falls within the ownership and control of the Gaunts Estate, and services Hinton Mill Farm as well as the cluster of residential properties which form the hamlet of Hinton Parva.

The proposals do not seek to make any changes to the existing access road. The scheme does however propose changes within the site itself. With the removal of some of the existing buildings, the scheme seeks to provide an access and internal courtyard arrangement between Proposed Barns A, B and C, which will provide the majority of the parking from the scheme in an enclosed position where this will not be read within the landscape, maintaining the feeling of an agricultural farmyard.

On the eastern side of the site, the current access track, which leads southwards into the broader pastureland, is moved eastwards slightly, away from the retained buildings, to allow for private garden amenity spaces to be formed. The route of the track is generally unchanged, but a new more formal route will be formed as opposed to the current permissive route around the edge of the farmyard.

The scheme is arranged about the three retained building masses, Barn A, Barn B and Barn C.

Barn A is to be split into two dwellinghouses, largely following the lines of the existing buildings themselves, with Plot 1 sitting over a single storey, and Plot 2 over two storeys.

Barn B, being the largest of the structures, is to be split into two single storey units (Building 6) to comprise Plots 3 and 4, and three two storey units (Building 7) to comprise Plots 5, 6 and 7.

Barn C at the southern end of the site is to be split into two single storey dwellings, Plots 8 and 9.

The residential curtilages sit entirely within the extent of the existing farmyard and do not project out into the pastureland beyond. The residential curtilages will be enclosed with post and wire or post and rail fencing, and native mix hedgerow will be planted alongside these.

7.0 Relevant Planning History

03/76/2040/HST - Decision: GRA - Decision Date: 26/01/1977

CONVERT AND ERECT BUILDINGS TO FORM DAIRY UNIT ETC.

03/77/1046/HST - Decision: GRA - Decision Date: 19/08/1977

ERECT DAIRY UNIT (AMENDED APPLICATION)

03/78/1543/HST - Decision: GRA - Decision Date: 07/09/1978

RANGE OF LOOSE BOXES AND IMPLEMENT SHED

03/80/2120/HST - Decision: GRA - Decision Date: 12/11/1980

ERECT COMBINE SHELTER AND IMPLEMENT SHED

03/81/0581/HST - Decision: GRA - Decision Date: 04/06/1981

COVERED YARD FOR PART OF DAIRY HERD/STOCK & CALF SHED

03/81/0740/HST - Decision: REF - Decision Date: 04/06/1981

FARM SITE FOR 2 HOLIDAY CARAVANS

3/20/0929/FUL - Decision: GRA - Decision Date: 19/11/2021

Adjacent site: Change of Use and Conversion of four existing agricultural buildings to Class C3 Residential Use (9 dwellings), works to further outbuildings, demolition of a redundant building and construction of new car port.

P/PAP/2022/00358 - Decision: RES - Decision Date: 21/10/2022

Conversion of five existing agricultural buildings to Class C3 Residential Use / demolition / works

P/VOC/2022/07676 - Decision: Under consideration

Adjacent site: Vary Condition 2 and Discharge Condition 7 of Approved P/A 3/20/0929/FUL (Change of Use and Conversion of four existing agricultural buildings to Class C3 Residential Use (9 dwellings), works to further outbuildings, demolition of a redundant building and construction of new car port). As amended by plans rec'd 24.4.24 to relabel orientations of elevations and add cladding to dormer cheeks on Barn A.

8.0 List of Constraints

Dorset Heathlands - 5km Heathland Buffer

Legal Agreements S106-– relevant to adjacent site Ref: 3/20/0929/FUL – identifies an exclusion zone within the current application site preventing the keeping of animals or odour emitting waste, and a second zone where no agricultural machinery or equipment over 1m in height can be stored.

Risk of Surface Water Flooding Extent 1 in 1000 – on lane outside site but not in site itself

Areas Susceptible to Groundwater Flooding; Clearwater; >= 25% <50%;

Cranborne Chase & West Wiltshire Downs National Landscape (AONB) (statutory protection Local Planning Authorities to seek further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Groundwater Source Protection Zone

Minerals and Waste Safeguarding Area Sand and Gravel

9.0 Consultations

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

Consultees

1. Cranborne Chase & West Wiltshire Downs National Landscape

Objection on the grounds of:

- Remote, unsustainable location
- Does not conserve or enhance natural beauty

- Harm to biodiversity
- Impact on Heathland
- Harmful light pollution
- Affordable dwellings need to be provided. Failure to do so would trigger an objection.

2. Environment Agency

No comments.

3. Natural England

No objection subject to securing mitigation.

4. Dorset Council Highways

No objection subject to safeguarding conditions.

5. Dorset Council Natural Environment Team

No objection subject to conditions to secure access, turning and parking construction and a construction management plan.

6. Dorset Council Environmental Health

Given the historic use of land as agricultural and proposed change of use to residential, it is considered that the applicant should be required to satisfy the planning authority that the site is adequately characterised in terms of land contamination issues.

To ensure that the risk of nuisance caused during demolition and/or construction is suitably managed/mitigated, the applicant shall produce a suitable Construction Environmental Management Plan (CEMP) for approval by the Local Planning Authority. This should include how nuisance issues such as (but not restricted to) noise, vibration, light, dust, fumes, odours etc. will be managed to prevent nuisance to neighbouring properties.

7. Dorset Council highways

With reference to the amended information, in respect of the above planning application, received on 25 March 2024. The applicant has provided an amended Transport Note containing all the requested information from my previous deferral. The Transport Note demonstrates that the access lane has adequate visibility at the junction with the B3078. A thorough analysis of the access lane has been carried out and it demonstrates that the lane has ample places to pass and is acceptable in width, for the most part.

The proposed parking provision appears to be adequate and in line with our recommended guidance.

The applicant has carried out a thorough analysis of the trip generation of the site, including the previous uses, the proposed development and the already consented development. The analysis shows that there will be a reduction in vehicles trips, with reductions in the AM and PM peaks. It is key to note that there will also be a reduction in the number of HGVs using the lane, and the B3078.

To summarise, the Highway Authority considers that the submitted Transport Note is satisfactory and robust and that the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to paragraphs 114 and 115 of the National Planning Policy Framework (NPPF) - December 2023.

Therefore, the Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection, subject to the safeguarding conditions.

8. Vale Of Allen Parish Council - Objection

Agree with repurposing redundant agricultural buildings. Dwellings should be for social housing, especially as Estate is selling off some rented housing. Proposals are larger than existing buildings' footprint. Tiny, narrow single track road access to hamlet. This increases the hamlet size by 300%. Access road needs widening. Poor visibility from access road onto fast section of road B3078.

9. Ward Members

No comments received

Representations received

Total - Objections	Total - No Objections	Total – Comments
2	0	0

Summary of comments of objections:

Three objection letters were received from two objectors on the grounds of

- Address should be Hinton Parva, not Witchampton
- Impact on the size of Hinton Parva hamlet- 10 houses prior to previous application
- Concern about the suitability of highway infrastructure- narrow, single track road, used by agricultural vehicles, no pavement, visibility issues onto the B3078 especially when hedges not maintained regularly, liable to flood at the turning off the main road and further down the road, disputes figures in transport note that refer to operation of Long family farm which will continue to operate from nearby fields.

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Section 85 of the Countryside and Rights of Way Act (2000) requires that a Local authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

11.0 Relevant Policies

Development Plan

Adopted Christchurch and East Dorset Local Plan:

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

KS1 - Presumption in favour of sustainable development

KS2- Settlement hierarchy

KS3 - Green Belt

KS11 - Transport and Development

KS12- Parking Provision

LN1- Size and Types of New Dwellings

LN2- Design, Layout and Density of New Housing Development

LN3- Provision of affordable housing

HE1- Valuing and Conserving our Historic Environment

HE2 - Design of new development

HE3 - Landscape Quality

ME1- Safeguarding biodiversity and geodiversity

ME2- Dorset Heathlands

ME6- Flood Management, Mitigation and Defence

Material Considerations

Emerging Local Plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The draft Dorset Council Local Plan

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Emerging Neighbourhood Plans

None

National Planning Policy Framework (December 2024)
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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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 82-84 reflecting the requirement for development in rural areas.

- 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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 National Landscapes (Areas of Outstanding Natural Beauty) great weight should be given to conserving and enhancing the landscape and scenic beauty (para 189). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Housing land supply

On the 26th September 2024, The Planning Inspectorate issued the Inspector's report confirming the Council's Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025 in accordance with paragraph 233 of the NPPF. An updated APS that reflects the Inspector's findings is available on the Council's website.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

12.0 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.

13.0 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.

No disadvantage to persons with protected characteristics has been identified following completion of the development. During the construction phase those who are housebound in the vicinity may be more affected by noise.

14.0 Financial benefits

What	Amount / value
Material Considerations	
None	
Non Material Considerations	
Council Tax	Band D = £21,435.12
Community Infrastructure Levy	£47,307.99 (as of 1st January 2025)

15.0 Environmental Implications

Carbon emissions will arise during the demolition of the existing buildings and in the construction stage of the proposed development. The new dwellings will be required to meet Building Regulation standards.

An informative has been added to the decision notice to encourage the developer to use sustainable construction methods. Sustainable construction involves using renewable and recyclable materials on building projects to reduce energy consumption and toxic waste. The primary goal of this initiative is to decrease the construction industry’s impact on the environment by utilizing sustainable construction procedures, practicing energy efficiency, and harnessing green technology.

16.0 Planning Assessment

16.1 The main material considerations for this application are:

- The principle of development
- Impact on the character of the area and the National Landscape (AONB)

- Layout and density
- Affordable Housing
- Impact on neighbouring amenity
- Impact on highway safety
- Biodiversity
- Flood Risk
- Contamination

These and other considerations are set out below.

Principle of development

16.2 The site is within the open countryside and given the National Landscape (AONB) location it cannot benefit from permitted development rights to convert the buildings to dwellings afforded by Class Q (Agricultural buildings to dwellinghouse) of the Town and County Planning (General Permitted Development) (England) Order 2015.

16.3 In accordance with Section 38(6) of the Planning & Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (Christchurch & East Dorset Core Strategy 2014) unless material considerations indicate otherwise.

16.4 Core Strategy Policy KS2 directs new residential development to larger settlements where it can benefit from proximity to facilities and services. This aligns with the NPPF which seeks to ensure that development is in sustainable locations; paragraph 83 of the NPPF notes that in rural areas '*housing should be located where it will enhance or maintain the vitality of rural communities'*.

16.5 The proposed site is outside any settlement identified in CS Policy KS2 and lies in a small hamlet where this policy states development would not be allowed unless it is functionally required to be in the rural area. The proposed dwellings are not presented as having a functional rural requirement and the proposal does not accord with this policy as a result. The policy does not distinguish between re-use of buildings and new buildings and only refers to 'development'.

16.6 There are no specific policies in the Core Strategy that deal with conversion of buildings to dwellings (excluding live-work units which the proposed dwellings are not). Paragraph 84 of the NPPF identifies that isolated dwellings should be avoided unless one of the exceptions is met. These include where *'c) the development would re-use redundant or disused buildings and enhance its immediate setting'*.

16.7 When approving the re-use of the redundant farm buildings adjacent to the site to the northwest under application 3/20/0929/FUL, the Council determined that the proposal was acceptable under the equivalent NPPF paragraph (then para 80). Although isolated dwellings (remote from services and facilities) would result

from the re-use of redundant buildings the development was judged to enhance the immediate setting of the buildings which justified the otherwise unsustainable location.

16.8 The buildings now proposed to be re-used are utilitarian in appearance. The structural surveys show they can be converted without substantial reconstruction and detail what works would be required to re-use them as dwellings, thereby confirming that the proposal can be treated as the re-use of buildings rather than rebuilds or replacements.

16.9 NPPF paragraph 84 c) accords with the aims set out at NPPF paragraph 157 to support the transition to a low carbon future by re-using existing resources where the conversion of existing buildings is encouraged.

Enhancement to the setting of the buildings to be re-used

16.10 The removal of the red shaded areas of the existing buildings as shown on ref: canopy removal plan will benefit the setting of the remaining buildings.

16.11 The proposed plan and visuals show a post & rail fence and new planting along the site's boundaries which would be appropriate for this rural area. This would add to the enhancement of the setting of the buildings as well as providing biodiversity opportunities subject to the inclusion of species that had biodiversity value which can be secured by condition.

16.12 The external materials to be used are suitable and overall it is anticipated that there would be an enhancement of the setting of the buildings to be re-used in terms of reduced scale of development, provision of additional landscaping and appropriate boundary treatments.

Highways and accessibility

16.13 Policy KS11 encourages the siting of development in accessible locations which are well linked to existing communities by walking, cycling and public transport routes. The application site lies in a relatively remote, rural location where future occupiers will be dependent upon private vehicles, but this is a feature of rural Dorset where opportunities to maximise sustainable transport options are limited as recognised by NPPF paragraph 110 so the weight against approval of the application is limited.

16.14 The requirements of transport policy KS11 include safe access onto the existing transport network, safe movements on the immediate network. The applicant has provided an amended Transport Note in response to the highway engineer's request. The Transport Note demonstrates that the access lane has adequate visibility at the junction with the B3078. A thorough analysis of the access lane has been carried out which demonstrates that the lane is mostly acceptable in width and has ample places for vehicles to pass other road users. The Council's highway team has not identified any requirement for upgrades to the lane to facilitate the proposed development.

16.15 The applicant has carried out an analysis of the trip generation of the site, including the previous uses, the proposed development and the already consented development. Table 1 Existing Site Trip Generation

	AM Peak Period (0800-0900)		PM Peak Period (1700-18000)		Daily (12 Hour – 0700-1900) (75%)
	Arrivals	Departures	Arrivals	Departures	
Ashton Dairy	3	3	3	3	47
The Long Family	3	2	2	3	38
Gaunts Estate	1	0	0	1	8
Total	**7**	**5**	**5**	**7**	**93**

	AM Peak Period (0800-0900)		PM Peak Period (1700-1800)		Daily (12 Hour – 0700-1900)
	Arrivals	Departures	Arrivals	Departures	
Vehicle Trip Rate per dwelling	0.077	0.244	0.321	0.205	4.630
Consented (9 Dwellings)	1	2	3	2	42
Proposed (9 dwellings)	1	2	3	2	42

Table 2 Proposed Dwellings Vehicle Trip Generation

The transport assessment identifies that residential development will replace both Ashton Dairy and the Long Family farm. It anticipates that following the development of the site, the surrounding farmland which forms part of the Gaunts Estate will no longer require regular access via the unnamed access road, utilising a different access, and therefore these movements would also be removed.

16.16 Table 2 demonstrates that the no.9 proposed dwellings are anticipated to generate 3 vehicle trips in the AM peak period, 5 vehicle trips in the PM peak period and 42 vehicle trips across a 12-hour period. The consented dwellings are expected to generate the same amount, meaning that over-all a vehicle trip generation of 6 two-way vehicle movements is expected in the AM peak hour and 10 during the PM peak hour.

16.17 A net impact assessment was undertaken to determine the likely impact of the proposed development and the approved site adjacent to the proposed site in comparison to the existing site uses. The net impact assessment is provided in Table 3.

Table 3 Net Impact Assessment

	AM Peak	PM Peak	Daily (12 Hour)
Existing Site	12	12	93
Proposed Site + Approved Site	6	10	84
Net Impact	- 6	- 2	- 9

16.18 The submitted analysis anticipates a reduction in vehicles trips, with reductions in the AM and PM peaks and a reduction in the number of HGVs.

16.19 The details in the Transport report have been criticised by those with knowledge of former farming practice on the site and current use of agricultural land in the vicinity. Based upon the available information officers recognise that trip rates associated

with the former agricultural use of the Long Family farm were lower than suggested as the farm had limited staff who lived on site, animal food was predominantly homegrown, HGV movements associated with bedding were more limited than suggested and the farm operated as a closed herd. The objector has also clarified that if in dairy use only one tanker visit per day would have been reasonably anticipated so the estimates for Ashton Dairy may also be exaggerated, and that land continues to be used for agricultural purposes so not all of the agricultural traffic can be discounted following conversion. For the purposes of the transport assessment, it is reasonable to take account of trips that could result from alternative management of the unfettered agricultural use. Taking account of the additional detail provided by the objector, officers acknowledge that it is likely that the trip rates related to the existing use would be lower than those shown in the tables provided.

16.20 Since the Transport Note appears to officers to over estimate agricultural traffic, officers have assessed the proposal on the basis that trip rates are unlikely to reduce and may increase. The nature of the traffic movements have also been considered; a greater number of movements are anticipated during peak times and residential movements are more likely in the evening. Cars and vans would comprise the majority of movements, with a reduction in HGVs and large agricultural vehicles, although these would continue to use the track to access surrounding agricultural land.

16.21 The Highway Authority considers that the submitted Transport Note is satisfactory and robust and that the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to paragraphs 114 and 115 of the National Planning Policy Framework (NPPF) - December 2024.

16.22 Therefore, the Highway Authority has advised that the proposal does not present a material harm to the transport network or to highway safety subject to safeguarding conditions being imposed.

16.23 The layout proposed would allow good access to the dwellings for occupiers and the amount of parking provision and its mix of allocated, unallocated and visitor spaces complies with the Dorset Residential Parking Guidance. The proposal therefore a accords with policies KS11 and KS12 in respect of highway safety and parking.

<u>Design & impact on the character of the area and National Landscape (AONB)</u>

16.24 Core Strategy Policy HE3 (Landscape quality) requires development to protect and seek to enhance the landscape character of the area and show they have had regard to the AONB Management Plan. The policy states the following;

'Policy HE3 Landscape Quality Development will need to protect and seek to enhance the landscape character of the area. Proposals will need to demonstrate that the following factors have been taken into account:

a. *The character of settlements and their landscape settings.*
b. *Natural features such as trees, hedgerows, woodland, field boundaries, water features and wildlife corridors.*
c. *Features of cultural, historical and heritage value.*
d. *Important views and visual amenity.*
e. *Tranquillity and the need to protect against intrusion from light pollution, noise and motion.*

Development proposals within and/or affecting the setting of the Area of Outstanding Natural Beauty will need to demonstrate that account has been taken of the relevant Management Plan. Within the Areas of Great Landscape Value development will be permitted where its siting, design, materials, scale and landscaping are sympathetic with the particular landscape quality and character of the Areas of Great Landscape Value. Planning permission will be refused for major developments in these designated areas except in exceptional circumstances and where they are in the public interest.'

16.25 The National Planning Policy Framework (12 December 2024) states (paragraph 187) that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, which include National Landscapes (AONBs). Paragraph 189 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes. The Cranborne Chase National Landscape has international dark skies status and pollution from light sources in new development should be avoided.

16.26 The proposal for 9 residential homes is a 'minor development' in planning terms but it has been necessary to consider whether the scheme, in combination with the adjacent residential development of a further 9 units, would represent 'major development' in the National Landscape for which permission should be refused. Footnote 67 confirms that whether or not a scheme is major is '*a matter for the decision maker, taking into account its nature, scale and setting and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined'*.

16.27 In this case the proposal will reuse existing buildings to provide housing and erect an four bay car port with an overall reduction in built form. The total number of additional dwellings, in combination with the adjoining site, is 18 which is significant in relation to the number of dwellings in the hamlet of Hinton Parva, but it is not judged that the development would have a significant adverse impact on the purposes for which the area has been designated for the following reasons:

Impacts on the National Landscape (AONB)

16.28 The site lies within the Stour and Avon Tributary Valleys character area of the National Landscape described as '*lush farming country that provides a peaceful and unified environment*' in the Cranborne Chase Character Assessment. The shallow valleys of the tributaries of the Stour and Avon have been exploited for the cultivation of arable crops or improved pasture and provide corridors of movement and support distinctive linear villages which provide an intimate landscape. The assessment identifies a moderate strength of character and landscape condition and identifies that future management should conserve the strong visual unity of the valleys, pattern of linear villages and semi-natural habitats and to restore declining features including planted boundaries.

16.29 Within this context, the proposal would see the retention and refurbishment of the redundant farm buildings with designs and appearances that reflect the former agricultural character of these buildings. The re-use of the buildings would be associated with some urbanisation (fenestration and gardens) but, overall, an improved visual appearance as a result of removal of hardsurfacing, the siting of parking spaces within the courtyard, careful use of materials and soft landscaping. Conditions can remove permitted development rights for extensions, outbuildings and future boundary demarcation that could result in harm (no. 14 and 15).

16.30 The functional appearance of the buildings distinguishes them from the established dwellings within Hinton Parva but as pre-existing built form their retention is acceptable and limits the impact on the National Landscape. The roofing materials should be matt in colour to avoid sunlight reflection. Details can be secured by condition (no. 9).

16.31 The proposal is to retain and convert the existing buildings using materials that would be appropriate in the context of the agricultural character of the application site. The overall design approach for the buildings to be converted is considered suitable, and although domesticating the buildings by the addition of glazed window openings and roof lights, this would not adversely detract from the character of the site in respect of the visual impact in daylight hours.

16.32 Cranborne Chase is an International Dark Sky Reserve. The dark skies contribute to the tranquil character of the National Landscape. Engagement with the agent during the application process has secured changes to the arrangement of rooflights in the buildings and the elevation design to reduce the potential for light spill at night.

16.33 Six of the 11 existing roof lights have been removed from barn A and of those remaining 3 are to serve bathrooms where the use of lights is likely to be transient, 1 is to serve a landing area and only 1 will a habitable room, a kitchen. A condition can reasonably be imposed to secure the fitting the fitting of blackout blinds on these few rooflights (no. 13) with an informative note to encourage their use. A further condition

is necessary to remove permitted development rights for any additional rooflights (no. 16).

16.34 All the existing 32 rooflights are to be removed from barn B. Brise-Soleil, a series of horizontal blades, have been added to the south-east elevation of building B serving the three larger glazed window groups at first floor level (towards the northern end of the façade) which face outwards from the site towards the access track on its eastern edge. This will reduce the overall visibility of the glazing and, having regard for its set-back, in oblique views give the appearance of a more solid timber clad façade in this location. Brise-soleil is also proposed to be added at first floor level within the north-west facing elevation of Barn B to both high level windows located towards the southern end of the façade to be secured by condition (no. 13). The reduction in the number of rooflights and the amendments to the glazing are judged to provide the necessary protection to protect and enhance the character of the National Landscape associated with the Cranborne National Landscape International Dark Skies designation.

16.35 Light pollution would arise from any insensitively designed external lighting so a condition is necessary to control external lighting (no. 14).

16.36 AONB Management plan policy PT18 supports the reuse of rural buildings that do not result in an increase in traffic, or loss of character or tranquillity. The Cranborne Chase National Landscape Team have raised concerns about the impact of the proposal on the tranquillity of the lane that provides access to the site. The 9 dwellings will result in a cumulative total of 18 properties on the wider, formerly agricultural, site and associated traffic arising from commuting to work; deliveries, school runs, leisure trips and visitors to the occupants of the dwellings.

16.37 The highway information supporting the application identifies a reduction in trip rates compared to the theoretical trips that could be associated with continued agricultural use. However, the Transport Note does appear to officers to have over-estimated the agricultural traffic intensity. Whilst it is acknowledged by officers that trip rates may increase compared to the previous use of the land, the difference in trip rates compared to those that could be generated by alternative farm management are considered unlikely to materially change the character of the use of the lane when taking into account the potential for larger, noisy vehicle movements associated with agricultural vehicles that would impact tranquillity. The Cranborne Road, B3078, which is a key distributor road in the local area is approximately 640m to the east. Overall, a significant loss of tranquillity is not anticipated.

Summary

16.38 The proposal has the potential to have a modest impact on the tranquillity of the National Landscape associated with the proposed intensity of residential use of the dwellings in combination with the adjacent housing development compared to the

agricultural use, but overall it is judged that the proposal would enhance its immediate setting. The mitigation secured by conditions is judged sufficient to ensure that the proposal would have no adverse impact on the landscape and the conversion of the existing buildings into a visually cohesive development within a carefully landscaped setting would locally enhance the scenic beauty of the National Landscape.

16.39 Subject to conditions securing landscaping detail, materials and control of external lighting the proposal is considered to accord with CS Policy HE3 (Landscape Quality).

Layout and density

16.40 Policy LN2 'Design, Layout and Density of New Housing Development' says that, on all sites, the design and layout of new housing development should maximise the density of development to a level which is acceptable for the locality. The proposed development reuses three existing buildings to contribute towards attaining a sustainable and balanced housing market. The scheme provides x2 two bedroom, x3 three bedroom and x4 four bedroom dwellings; 9 new dwellings in total. This application is a similar scheme to that recently approved on the adjoining site and is considered to accord with policies LN1 and LN2.

16.41 Affordable housing provision

The application site forms part of a larger residential development that also comprises the adjacent land to the northwest where development is under way. The two sites are considered as one for the purposes of affordable housing provision. It is appreciated that the site for the current proposal is not brought forward at the same time as the adjacent site that has planning permission for 9 dwellings, but it is important that developers should not avoid contributing to affordable housing provision by undertaking piecemeal development. (A similar situation was encountered by a planning inspector in an appeal at Sestri, Broadway, Chilcompton, Radstock APP/Q3305/W/21/3279580.)

16.42 The total of 18 dwellings on land owned by the applicant triggers the need for affordable housing to comply with Core Strategy Policy LN3 and Policy PT23 of the Cranborne Chase AONB Management Plan 2019-2024 which also encourages the provision of affordable housing.

16.43 In East Dorset there is an adopted SPD which covers affordable housing contributions, the financial contributions are covered in section 9.

16.44 In accordance with the SPD the contributions are set at £350 per sqm. In this development the average floor area of the homes is 148sqm. This gives a floor area of 1,332sqm for the nine units. Therefore 1,332 x £350 = £466,200.

16.45 This requirement is recognised by the application and a legal agreement is being drawn up. Affordable housing will therefore be secured in accordance with policy LN3.

Impact on the amenity of occupants of adjacent property

16.46 The separation distances and relationship between the proposed dwellings and those permitted on the adjacent site are appropriate and would ensure that the residential amenities of the occupants of both schemes would be acceptable.

16.47 The proposed carport would introduce new built form to the north of units A3 and B1 on the approved scheme. The carport has an eaves height of 2.5m and ridge of 4.8m and will extend north east of the rear elevation of unit A3 by less than 5 metres. It is anticipated to have a positive impact for neighbouring amenity, acting as a barrier reducing disturbance that may otherwise arise for neighbours from the parking court without being over bearing or resulting in harmful overshadowing for the occupants of the adjoining development.

16.48 The proposal is judged to minimise impacts on neighbouring amenity as required by policy HE2.

Impact on protected species

16.49 There are significant opportunities for biodiversity enhancements on the site through new landscaping and habitat creation. The proposed native mix hedgerow boundaries and new tree planting will provide opportunities in this respect. The new build construction of the building proposed will provide opportunities to include biodiversity enhancing features, such as bat bricks or boxes and bee bricks, to provide new permanent biodiversity opportunities. Any approval will be subject to a condition to secure the mitigation and enhancement proposals within the submitted Biodiversity Plan approved by the Dorset Council Natural Environment Team therefore the proposals are in accordance with Policy ME1.

Impact on protected heathland sites of Special Scientific Interest

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

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

16.52 The appropriate assessment has concluded that the mitigation measures set out in the Dorset Heathlands 2020-2025 SPD can prevent adverse impacts on the integrity

of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.

16.53 The Council collects Heathland mitigation payments via the Community Infrastructure Levy (CIL) which will secure the necessary contribution in accordance with the Dorset Heathlands SPD.

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

Flooding

16.55 The FRA and drainage strategy submitted recognises that the site lies within an area identified by the Council's Strategic Flood Risk Assessment (SFRA) as being susceptible to high ground water levels. The latest Environment Agency data shows an area of surface water flooding in the northeast corner of the site. No sequential test is required because the proposal is to convert existing buildings.

16.56 Site specific data from ground water and surface water investigations has informed a Flood Risk Assessment and an appropriate conceptual surface water drainage scheme has been identified to demonstrate that increased flood risk can be avoided in accordance with policy ME6. The surface water management and maintenance details can be secured by condition (no. 7 and no.11).

16.57 An objector raised the issue of flooding of the access road. The latest Environment Agency data for surface water flooding suggests that there is the potential for surface water pooling near to or on the highway serving Hinton Parva in a 1 in 1000 year event. The degree of flood risk is low and there is no evidence that surface water on the road would impede access for future residents.

Contamination

16.58 The Council's Environmental Health Officer (EHO) has advised that there is potential for previous agricultural contaminative activities on site and the site is adjacent to land previously used as paper, packaging products manufacture. On this basis the EHO advises that a desktop preliminary risk assessment should initially be undertaken to establish the potential risk of any possible contamination, and the Council's standard contaminated land condition is applied to any planning permission. This takes a precautionary staged approach and would require investigation, analysis and remediation where contamination is suspected and found on the site.

16.59 The issue of potential contamination can be addressed by suitable condition and in the absence of actual evidence of contamination on the site, it is judged that securing further information prior to determination is not warranted. The proposal does not conflict with Saved policy DES2 of the EDLP in terms of contamination, nor does it conflict with paragraph 189 of the NPPF (ground conditions & pollution).

17.0 Conclusion

Whilst the proposal fails to accord with policy KS2 as the site is in an isolated hamlet and the proposed dwellings are not presented as being functionally required, the Local Plan is silent on the conversion of redundant buildings to housing. The NPPF encourages the reuse of existing buildings (paragraph 161) and the proposal which secures the removal of unsightly structures together with new landscaping is, on balance, considered to enhance the immediate setting of the redundant farm buildings in accordance with NPPF paragraph 84, justifying the otherwise unsustainable location for housing.

Notwithstanding the Council's APS, there is a recognised national and local housing need that cannot be met by the existing Local Plan. The benefits of providing 9 dwellings towards the Council's housing land supply and an affordable housing contribution are given significant weight. No harm that would outweigh these benefits has been identified.

Subject to conditions, the material considerations support a recommendation of approval.

18.0 Recommendation

To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to either:

A) GRANT permission subject to the completion of the legal agreement to secure the necessary affordable housing contribution and 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:

PL-04 A Canopy Removal Plan

PL-10 D Proposed Site Plan with approved neighbouring layout shown
PL-12 C Barn A Proposed plans and Access plan
PL-13 D Barn B Proposed plans and Access plan
PL-14 A Barn C Proposed Floor Plans & Elevations
PL-15 C Barn A Proposed North & South Elevations
PL-16 C Barn A Proposed East & West Elevations
PL-17 E Barn B Proposed Elevations and Section
PL-18 A Barn C Proposed Elevations
PL-19 B Barn B Existing & Proposed Roof Plans
PL-20 A Car Port Proposed Floor Plans & Elevations
AB-1 - Building Identification Plan

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

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

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

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

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

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

part(s) thereof recommended in the remediation strategy, shall require approval to be obtained in writing from the Local Planning Authority.

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

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

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

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

4. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number PL-10 rev A must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

5. Before the development hereby approved commences a Construction Traffic Management Plan
   (CTMP) must be submitted to and approved in writing by the Planning Authority. The CTMP must
   include:
   - construction vehicle details (number, size, type and frequency of movement)
   - a programme of construction works and anticipated deliveries
   - timings of deliveries so as to avoid, where possible, peak traffic periods
   - a framework for managing abnormal loads
   - location of construction site access

- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

6. Before the development hereby approved commences a Construction Environmental Management Plan (CEMP) must be submitted to and approved in writing by the Planning Authority. The CEMP must include how nuisance issues such as (but not restricted to) noise, vibration, light, dust, fumes, odours etc. will be managed to prevent nuisance to neighbouring properties. There shall be no bonfires on site at any time.

   Reason: To protect residential and visual amenity.

7. Prior to commencement of development details of the surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority and the approved drainage scheme shall be completed before occupation of the development. The works should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS)

   Reason: To avoid drainage problems as a result of the development with consequent pollution or flood risk and to take into account current national standards for SuDS.

8. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan or Landscape Ecological Management Plan (LEMP) certified by the Dorset Council Natural Environment Team on 12 09 23 must be strictly adhered to during the carrying out of the development.
   The development hereby approved must not be first brought into use unless and until:
   i) the mitigation, compensation and enhancement/net gain measures detailed in the approved biodiversity plan or LEMP have been completed in full, unless any modifications to the approved Biodiversity Plan or LEMP as a result of the

requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority, and
ii) evidence of compliance in accordance with section J of the approved Biodiversity Plan/the LEMP has been supplied to the Local Planning Authority.
Thereafter the approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.

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

9. Prior to their first use on the site, 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.

10. Prior to the installation of any windows on the site, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to first occupation on site or in accordance with an agreed timetable. These details shall include:
    (i) hard surfacing materials;
    (ii) details of any hard boundary enclosures
    (iii) a ground rehabilitation scheme to ensure the areas to be planted are prepared adequately to support new planting; and
    (iv) planting plans including plant and tree species, numbers and pot sizes.
    If within a period of 5 years from the date of the planting of any tree/plant, that tree/plant or any tree/plant planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree/plant of the same species and size as that originally planted shall be replanted in the first available planting season unless the Local Planning Authority agrees in writing to any variation.

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

11. Prior to the occupation of the development details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding and to take into account current national standards for SuDS.

12. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on the approved plans must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.
Reason: To ensure the proper and appropriate development of the site

13. Prior to first occupation of the dwellings, the brise-soleil shall be fitted as shown on the approved plans and the rooflights shall be fitted with blackout blinds. These features shall thereafter be retained.

Reason: To protect the dark night skies character of the National Landscape.

13. No external lighting shall be installed at the properties hereby approved without details first having been submitted to and approved in writing by the Local Planning Authority. The lighting shall be motion sensitive and shall be installed in accordance with the approved details and maintained as such thereafter. Details of appropriate lighting is provided by the Cranborne Chase Area of Outstanding Natural Beauty Good Practice Note on Good External Lighting that can be downloaded from http://www.ccwwdaonb.org.uk/uploads/docs/Our_Work/AONB_lights_fittings_BMizon.pdf

Reason: To protect the character of the Area of Outstanding Natural Beauty

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting, or modifying that Order), no extensions to the buildings or their roofs including porches (other than those expressly authorised by this permission) shall be constructed, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To control the appearance of the development in the interests of the Area of Outstanding Natural Beauty.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting, or modifying that Order with or without modification), no wall, fence or other boundary demarcation permitted by Class A of Schedule 2 Part 2 nor outbuilding permitted by Class E of Schedule 2 Part 1 of the 2015 Order shall be erected or constructed to the north of buildings A and B nor to the east of building B and C.

Reason: To control the appearance of the development in the interests of protecting the natural beauty of the Area of Outstanding Natural Beauty.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window(s) or other opening(s) permitted by Class A and Class C of Schedule 2 Part 1 of the 2015 Order shall be constructed in the dwellings hereby approved.

    Reason: To protect the dark night skies and natural beauty of the Cranborne Chase National Landscape

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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

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

    - offering a pre-application advice service, and

    - as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

    In this case:

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

    - The applicant was provided with pre-application advice.

2. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to the payment of an affordable housing contribution.

3. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

4. Any work carried out to comply with conditions relating to land contamination must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

5. Biodiversity Net Gain

    The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

    (a) a Biodiversity Gain Plan has been submitted to the planning authority, and

    (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

• The application for planning permission was made before 12 February 2024.

Or B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 23 January 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East

Reason for refusal: The application is contrary to Policy LN3 of the Christchurch and East Dorset Local Plan 2014 as there is no legal agreement in place to secure the appropriate affordable housing contribution that is necessary because the proposal forms part of a larger residential development that also comprises the adjacent land to the northwest (permission 3/20/0929/FUL) with a combined total of 18 dwellings.

Application Number:	P/FUL/2024/01993
Webpage:	Planning application: P/FUL/2024/01993 - dorsetforyou.com
Site address:	High Lea Farm Witchampton Lane Witchampton Dorset BH21 5AA
Proposal:	Demolish remaining agricultural buildings and change the use and conversion of 3 No. Existing Agricultural Buildings to 5 No. Dwellings (Class C3) with associated parking and erect 2 no. car ports.
Applicant name:	Gaunts Estate
Case Officer:	Ellie Lee
Ward Member(s):	Cllr Chakawhata

1. **Reason application is going to committee:** At the request of the Committee Chair.

2. **Summary of recommendation**: GRANT subject to conditions as set out at the end of this report.

3. **Key planning issues**

Issue	Conclusion
Principle of Development	Acceptable in principle– Although contrary to local policy KS2, the scheme accords with NPPF paragraph 84 c) for isolated homes.
Impact on the Area of Outstanding Natural Beauty, Design, Character and Heritage	Acceptable – the proposal accords with local policies HE2 in terms of design and HE3 in terms of the National Landscape (AONB). No harm to the National Landscape and acceptable in terms of design and character in this rural location, subject to conditions.
Impact upon Amenity	Acceptable – the proposal accords with local policy HE2 in terms of neighbouring amenity.
Trees and Landscape	Acceptable – the proposal accords with local policy HE3 and NPPF policies subject to conditions.
Highways and Parking	Acceptable – the proposal accords with local policies KS11 and KS12, subject to conditions and informative notes.

Issue	Conclusion
Flood Risk	Acceptable – the proposal accords with local policy ME6, subject to condition.
Foul Drainage	Acceptable, subject to a condition which secures details of a package treatment plant condition.
Scheduled Monument	Acceptable - the scheme is acceptable in terms of policy HE1 and section 16 of the NPPF.
Biodiversity	Acceptable – the scheme accords with local policy ME1, subject to a biodiversity condition.
Biodiversity Net Gain (BNG)	Acceptable – subject to a Biodiversity Gain Plan, to be addressed prior to commencement of works.
Impacts upon Dorset Heaths	Acceptable – Natural England concurs with the Council's Appropriate Assessment, subject to mitigation which can be secured by CIL.

4. Description of site

The application site is in a rural location outside of the settlement boundary and within the Cranborne Chase National Landscape, but is close to existing residential development which comprises of two storey semi-detached properties.

The site lies to the east of Witchampton, to the west of Hinton Martell, and is located to the west of the B3078 road.

There are three existing agricultural buildings within the site which has an irregular shape. The access to the site is from the B3078 road to the east. There are also other buildings beyond the site including barns and houses.

The submitted Proposed Site Plan indicates that the land levels to the rear (west) of the site are approximately 3 metres lower than the front (east) of the site. The site boundaries to the rear include an abundance of vegetation as a buffer to nearby fields.

The existing buildings which are proposed to be converted are set back from the road and are viewed behind existing residential and other development. The use of the access to the proposed development would be shared with the occupants of Queens Close, Kings Close and High Lea Farm Cottages.

5. Description of development

This planning application proposes the following development on the site:

- Change the use and convert two existing agricultural buildings to 5 no. new 4 bedroom dwellings; building A will be converted to three dwellings and building B to two dwellings each with their own front and rear garden and a shared parking area.
- Erect 2 no. carports (to serve the new dwellings) with pitched roofs.

- Demolish 1 no. agricultural building to facilitate works.

6. Background and relevant planning history

Application No.	Description	Decision	Date
P/PAP/2022/00494	Convert 3 Existing Agricultural Buildings to 5 C3 Dwellinghouses including demolition	Response Given	17/11/2022
3/19/1698/FUL (High Lea Farm)	Change of use of existing buildings to class B1(a) office use and associated parking	Granted	14/11/2019
3/13/0781/FUL (High Lea)	The construction of an anaerobic digester with associated foundation, feedstock storage & digestate storage lagoon	Granted	12/12/2013
3/12/0567/FUL (High Lea)	Repair, alterations and extensions to existing farm buildings including raising roofs of farm shop building and existing classroom	Granted	27/11/2012
3/12/0072/COU (High Lea Farm)	Change of use of ground floor classroom to butchers shop, first floor classroom to estate office for a temporary period of 3 years. - retrospective	Granted	26/03/2012
3/08/0690/COU (High Lea Farm)	Conversion and alteration of three redundant farm buildings to offices/craft workshops/craft retail/ classrooms/dormitory accommodation/conference room/ farm shop with cafe and create second floor in granary to provide self contained two bedroom flat	Refused	06/08/2008
03/99/0182/FUL (High Lea Farm)	Proposed shower/wc block, conversion of store to shower/wc & porch & renewal of temp permission to use classrooms as dormitories and stationing of wc block	Granted	18/05/1999
03/98/0725/FUL (High Lea)	3 touring caravans in adj. paddock to be used as meditation/ study spaces (retrospective)	Refused	12/02/1999
03/98/0594/ADV (High Lea)	Non illuminated advert sign (plywood name plate retrospective)	Granted	24/08/1998
03/97/0390/FUL (High Lea Farm)	Extension to existing grain barn	Granted	16/07/1997
03/93/0695/FUL (High Lea)	Change of use from classrooms to dormitories	Granted	24/02/1994
03/88/1416/FUL (High Lea Farm)	Erect farm stores / workshops, school, art, crafts & gymnasium	Granted	04/11/1988
03/83/1607 (High Lea Farm)	Classroom, toilets and changing room	Granted	08/06/1984

03/82/0774 (High Lea Farm)	Change of use to school	Granted	25/06/1982
03/79/2289 (High Lea Farm)	Erection of agricultural dwelling	Granted	13/12/1979
03/79/0779 (High Lea Farmstead)	Erect pole barn implement shed	Granted	13/06/1979

7. List of constraints

- Within the Cranborne Chase & West Wiltshire Downs – National Landscape (formerly known as AONB)
- With Dorset Heathlands 5km Buffer
- Adjacent to, but not within the Green Belt
- Natural England Designation - RAMSAR: Dorset Heathlands (UK11021) *located approximately 4628.38m from the application site*
- Scheduled Monument: Round barrow NW of High Lea Farm (List Entry: 1004552) – *located approximately 338.26m to the north-west of the application site*
- Bournemouth Water Consultation Area
- Environment Agency (EA) - Groundwater – Susceptibility to flooding
- Radon: Class 1: Less than 1%

8. Consultations

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

Consultees

1. **Natural England**
   - Natural England concurs with the Council's Appropriate Assessment, subject to mitigation which can be secured by CIL.
2. **Historic England**
   - Suggest that advice is sought from the Council's specialist conservation and archaeological advisers.
3. **National Landscape (AONB) Team**
   - No pre-app advice with AONB team and no contact made with AONB by agent/applicant.
   - Existing buildings are clearly agricultural. Site/buildings cannot fall under 'previously developed land.' No Statement of Case/Design & Access Statement submitted.
   - Location remote from existing settlements. Proposal isolated development, so unsustainable. Development lies within open countryside of a National Landscape (sensitive area), so contrary to NPPF policies 180 & 182. (Now 187 & 189).

- Proposal is for 5 dwellings, each 4+ bedroom. Not affordable housing, so not suitable.
- No clear mechanism for sewage disposal, which could impact National Landscape.
- Scheme should comply with International Dark Sky criteria. LPA should ensure that schemes consider reducing light pollution (and not just minimising). Despite PAP advice from LPA, both buildings have a significant no. of roof lights which would harm National Landscape & contribute to light pollution. Roof lights should be modified or designed out. Exterior lighting must comply with the criteria for Environmental Lighting Zone E0. Section 85 of the CRoW Act 2000 is relevant, in relation to proposal and light pollution.
- It is noted that a contribution is to be made to mitigate recreational impacts on Dorset Heaths. However, there should be a similar contribution to compensate impacts on National Landscape (not just recreational). If approval is recommended, then the issues raised by the National Landscape team should be addressed and agreed.

4. Dorset Council Highways

- Following receipt of a Transport Note, the scheme demonstrates that existing access has recommended visibility splays, and demonstrates that refuse, delivery & fire vehicles and enter and exit site safely in a forward gear.
- Proposed parking provision is sufficient and in line with Dorset Council's parking standards. 10 of these spaces will be within the proposed car ports.
- Trip generation information has been reviewed, and the increase is not thought to be severe in terms of NPPF policies 115 – 116. Previous agricultural use generated 4 regular two-way HGV movements per day, and the residential development would be predominantly cars – therefore removing the HGV movements. Therefore, this is a betterment to the existing situation in terms of highway safety.
- Although Transport Note states that there have been no recorded collisions in the vicinity of the site, Dorset Council's Collision Explorer shows that there has been one slight collision and one serious collision. They were both down to driver error and not associated with the access to the proposed development site. It is likely that they weren't showing on the system at the time the report was written.
- It is reasonable to expect that all drivers would drive with due care and attention to the conditions that surround them, taking into consideration the most vulnerable road users.
- To sum up, the Highway Authority considers that the submitted Transport Note is satisfactory and robust and that the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to NPPF paras 115 - 116.
- Therefore, the Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection subject to the following conditions and informative notes:
    - Turning/manoeuvring and parking construction (condition)
    - Visibility splays as shown (condition)
    - Car Ports construction (condition)

- Dorset Council Waste Services - residential (informative note)
- Electric vehicle charging points (informative note)

5. Dorset Council Trees (East & Purbeck)

- The trees on site have been correctly identified by RNapc & reflected in the submitted AIA & tree protection plan.
- In tree terms the scheme is acceptable, subject to a pre-commencement condition which secures tree protection and requires a pre-commencement meeting.

6. Dorset Council Environmental Health - Protection

- No comment.

7. Dorset Council Building Control

- Fire service access provisions to be carefully considered. Other Building Control issues to be assessed at time of application.

8. Dorset Council Natural Environment Team

- The Biodiversity Plan and Ecological Impact Assessment are currently being reviewed under the Dorset Biodiversity Appraisal Protocol however NET currently have not approved these documents.

Subsequently to these comments, a certificate has been granted

9. Dorset Council Natural Environment Team (BNG)

- We have no comment on the Biodiversity Metric submitted in support of the application.
- The application proposes creation of 0.43 units on-site with a 0.59 unit deficit remaining, meaning that less than 50% of the proposed route to achieve 10% BNG is achieved on-site so it is not signficant.

10. Dorset Council Conservation

- High Lea Farm is a former farm complex located in an elevated position between Witchampton & Hinton Martell. A number of redundant farm buildings have already been converted to residential, educational and commercial use. There are no identified heritage assets recorded on site. Not enough detail to determine if former owl barn (outside of the application site) is of sufficient interest to be considered of local interest as a non-destinated heritage asset. Site is located in a historic landscape area and is in the National Landscape.
- Whilst no objection to the principle of converting existing agricultural outbuildings on site to residential use, changes are suggested to the design of the residential dwellings in this setting. Conservation concerns can be overcome with changes to design and materials.

11. Dorset Council Archaeology

- The Dorset Historic Environment Record (DHER) records an archaeological excavation of a prehistoric barrow cemetery at Higher Lea Farm. The work was undertaken by Bournemouth University around 20 years ago. The record in the DHER indicates this

work took place at the farm itself, but the excavation was in an open field – I believe around 200m west of the farm complex.

- Because of this, and also because I consider it likely that the area of the proposed development would have been disturbed to a large extent by previous development here, I do not consider archaeological impact to be a constraint to take into account when determining this application.

12. Hinton Parish Council

Objection.

- Overdevelopment/not in keeping with few existing houses. Bit piecemeal as whole site needs to be undertaken as one redesign. Isolated spot. 5 x 4 bed houses - can land really support these?
- Increases traffic egress onto B3087. Traffic hot spot. Would be made worse with construction traffic. 20 car parking spaces excessive for 5 houses.
- Dark skies issues. Not referred to Natural Landscapes.
- No details on contingencies for bats and owls.
- No details provided on heat pumps, solar panels or electric charging points.
- Neighbours not informed. No Planning Notice displayed.
- Site is in a rural application, and proposal does not contain any social rented housing.

13. Stour And Allen Vale Ward Member

- No comments received.

Representations received

Total - objections	Total - No objections	Total - comments
0	0	2

Summary of comments received:

Two third party representations have been made (Comments) both by the same person at the same address (summarised below):

- There are neighbours adjacent to the application site boundaries, as per the site plan
- Carports unnecessary / out of keeping with character
- Concerns raised over the submitted Transport Note (by Paul Basham Associates) that it is inaccurate, and doesn't include recent significant accidents

- Access road to site currently unsuitable for increased traffic movements. Concerns over highways safety and access/egress. Little information provided. Poor visibility and concern over speed limit of B road.
- Unclear why 20 parking spaces needed for 5 houses
- Concern over how common areas on the site will be managed, following construction.
- Existing foul drainage pipe that runs across part of site from near to 1-2 High Lea Cottages. Concerns that proposed development would negatively affect existing foul drainage for neighbouring occupants.
- A relatively new fibre optic cable cabinet is in the garden of Building B, but not shown on site plan.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty)

10. Relevant policies

Development plan

In this case the development plan comprises:

Adopted Christchurch and East Dorset Local Plan:

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

KS1	Presumption in favour of sustainable development
KS2	Settlement Hierarchy
KS11	Transport and Development
KS12	Parking Provision
HE2	Design of new development
HE3	Landscape Quality
ME1	Safeguarding biodiversity and geodiversity
ME2	Protection of the Dorset Heathlands
ME5	Sources of Renewable Energy
ME6	Flood Management, Mitigation and Defence

Made Neighbourhood Plans

N/A

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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’ This outlines the government’s objective in respect of land supply with subsection ‘Rural housing’ at paragraphs 82-84 reflecting the requirement for development in rural areas.

- Section 11 ‘Making effective use of land’

- Section 12 ‘Achieving well designed places’ This 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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 National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

- Section 16 ‘Conserving and Enhancing the Historic Environment’- Paragraph 212 says that 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. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

National Planning Practice Guidance

Including ‘Determining a planning application’

Supplementary Planning Document/Guidance

- Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document
- Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.
- Cranborne Chase AONB Management Plan 2019-2024
- Cranborne Chase AONB Landscape Character Assessment

Housing land supply

On the 26 September 2024, The Planning Inspectorate issued the Inspector’s report confirming the Council’s Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025 in accordance with paragraph 233 of the

NPPF. An updated APS that reflects the Inspector's findings is available on the Council's website.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

11. 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. 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.

During the construction phase neighbours who are housebound due to protected characteristics are likely to be more affected by noise and disturbance but thereafter no harm to persons with protected characteristics is anticipated.

13. Planning Assessment

Background:

13.1. This planning application has been submitted, following pre-application advice being provided to the application under pre-application ref: P/PAP/2022/00494 on 17 November 2022. The pre-application proposal sought advice for the following proposal: '

'Convert 3 Existing Agricultural Buildings to 5 C3 Dwellinghouses including demolition'

13.2. The application under consideration ref: P/FUL/2024/01993 at High Lea Farm seeks permission for the following proposal:

'Demolish remaining agricultural buildings and change the use and conversion of 3 No. Existing Agricultural Buildings to 5 No. Dwellings (Class C3) with associated parking and erect 2 no. car ports.'

13.3. The proposal has similar volume to the pre-application proposed scheme, but changes have been made in response to officer comments which were set out in the pre-application officer response letter of 17/11/2022. Amended plans have been received during the course of the application to overcome concerns raised, including changes to the proposed external elevations (received 27/05/2025).

13.4. The proposed scheme under consideration has the following differences, when compared against the pre-application scheme:

Building A:

- More external amenity space inc. between north elevation and north boundary.
- Fewer openings in front eastern elevation: The 12 no. roof lights on east front elevation proposed in the pre-application have been omitted, and replaced with 3 no. dormers.
- Differences to the windows in the southern side elevation.
- Changes to the ground floor openings in ground floor of the rear west elevation.
- 4 no. sun tunnels have replaced the previously proposed roof lights in the rear west elevation, serving ground floor rooms. (Amended plans 27/05/2025).

Building B:

- More external amenity space inc. between north elevation and north boundary.
- 4 no. roof lights in south front elevation replaced with 4 no. dormer windows.
- Changes to the ground floor openings in ground floor of front south elevation.
- Smaller balcony/terrace area on rear north elevation, with screening and high level brise soleil to openings (as per amended plans 27/05/2025).

Carports:

- Similar proportions to the pre-application proposed carports.

Farm Building to south of existing Building B:

- As per the pre-application scheme, the farm building (located to the south of existing Building B) is proposed to be demolished to facilitate the car parking and driveway space to the front of the new proposed dwellings.

External Amenity Spaces for occupants of proposed new dwellings:

- As noted above, the external amenity space for the occupants of the proposed new dwellings has increased, and the separation distances between the dwellings and the site boundaries has increased.
- This is due to the current proposal providing a larger area to the north of buildings A & B to accommodate this amenity space.

External Amenity Spaces for occupants of proposed new dwellings:

- Additional hedging is now proposed to site boundaries, including the north and east boundaries which are adjacent to the access and boundaries to existing residential properties (near to the site).

Principle of Development

13.5. Hinton Parish Council's objection raises concerns that the site is in an isolated location and would be overdevelopment, questioning whether the land can support 5 no. houses (each with 4 bedrooms).

13.6. In a later objection, Hinton Parish Council raised concerns that the proposal on this rural site does not contain any proposed social rented housing. The National Landscape Team have raised a similar concern that the scheme is not for affordable housing and have highlighted that the scheme is not previously developed land.

13.7. The proposal is for new market housing and there is no requirement for these new dwellings to be rented for social housing under the current Local Plan.

13.8. The proposal site is agricultural land which is located outside the settlement boundaries of Witchampton and Hinton Martell (which are identified as villages in the Local Plan under policy KS2). Local Policy KS2 sets out that 'all other settlements' that are not listed in the table are identified as 'Hamlets' where *"developments would not be allowed unless it was functionally required to be in the rural area."* Therefore, the proposal is contrary to local planning policy KS2. However, the adopted Local Plan is silent about the conversion of rural buildings to dwellinghouses.

13.9. Paragraph 84 of the National Planning Policy Framework (NPPF) is relevant:

84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building; or

e) the design is of exceptional quality, in that it:

i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

13.10. The NPPF therefore identifies exceptions to the requirement to avoid development of isolated homes in the countryside, and only one of the exceptions would need to be met for a proposal to accord with paragraph 84.

13.11. The application site comprises part of High Lea Farm. The buildings which are proposed to be converted are agricultural buildings which are set away from the B3078 road by a minimum distance of approximately 57 metres and are well screened from the highway. In this case the proposal is for the re-use and conversion of buildings which is encouraged by paragraph 161 of the NPPF (in section 14), and the removal of one of the structures together with new landscaping would, with appropriate boundary treatment, parking areas and hard surfacing, on balance, enhance the immediate setting of the redundant farm buildings, in accordance with paragraph 84 c) of the NPPF, justifying the otherwise unsustainable location (as per policy KS2), subject to compliance with other local and national planning policies.

13.12. The proposed addition of 5 no. new family dwellings (and removal of one of the existing agricultural buildings) is anticipated to enhance the vitality of this rural community, from the addition of new households and increased social contact, but as the site lies outside of any village this benefit would hold limited weight in the planning balance.

13.13. On the basis of the above assessment, the proposal development can achieve enhancement of the immediate setting by the removal of a building, use of appropriate materials and securing appropriate landscaping. Whilst the proposal is contrary to local policy KS2, paragraph 84 c) of the National Planning Policy Framework allows such development in principle.

13.14. Therefore, the proposed development is acceptable in principle, subject to all other material considerations.

<u>Impact on the National Landscape, Design, Character and Heritage</u>

13.15. The application site lies in a rural location within the Cranborne Chase National Landscape (formerly known as the AONB). Within the National Landscape there is a statutory requirement to seek to further the purposes of conserving and enhancing the natural beauty. Local planning policy HE3 is relevant, as are the policies of the AONB Management Plan and paragraphs 189 and 190 of the NPPF.

13.16. The visual impacts of the development are anticipated to be limited due to the position within the existing cluster of buildings west of the Cranborne Road. The land levels appear to be generally flat, but decrease towards the west/north-west of the site. From Cranborne Road the buildings will be glimpsed up the existing access in the context of existing estate dwellings (1 and 2 High Lea Farm Cottages and Kings Close and Queens Close), while from the highway to the south the site is screened by trees and High Lea Farmhouse.

13.17. The National Landscape Team have raised concerns that no contact has been made by the applicant/agent (to the National Landscape Team) regarding the proposals, that light pollution should be minimised (by the amendment or removal of rooflights), that the development should comply with International Dark Sky criteria, and that section 85 of the CRoW Act 2000 is relevant, in relation to proposal and light pollution. It was advised that any exterior lighting should comply with the criteria for Environmental Lighting Zone E0.

13.18. The existing steel framed buildings have a utilitarian appearance, constructed of blockwork walls with metal cladding and corrugated roofing. The proposed conversion will introduce timber cladding with metal roofing. The timber will soften the appearance whilst maintaining the agricultural aesthetic. Building A which will be converted to three dwellings has a modest roof height of approximately 5.7m; each dwelling will include a bedroom and ensuite at first floor level with the remainder of the accommodation at ground level. Building B is higher at approx. 6.8m so can accommodate more accommodation at first floor level, although it remains within the roof.

13.19. Changes have been made from the pre-application scheme, including the removal of proposed roof lights which have been replaced with dormer windows on the front east elevation of Building A and the front north elevation of Building B to seek to avoid light spill above the horizontal plane. Changes have also been made during the application under consideration to overcome concerns raised by consultees; the proposed balcony areas on the rear north elevation of Building B now include brise soleil and screening. Also, the initially proposed 4 no. roof lights within the roof of the rear west elevation of Building A have been changed to 4 no. sun tunnels. These changes combined improve the proposed scheme, overcome officers' original concerns, and secure an appropriate impact upon the National Landscape in relation to maintaining dark skies. An informative note is still considered appropriate to bring the applicant or developer's attention to the National Landscape guidance and encourage the use of curtains/blinds during hours of darkness and a condition will control external lighting (condition 16).

13.20. The proposed dwellings are to be served by parking spaces beneath car ports. Third party representations have raised concerns that the proposed carports are unnecessary and are out of keeping with the character of the area. The car ports are intended to reduce the visual impact of vehicle parking in the National Landscape. In line with pre-application advice the proposed carports are single storey and have a traditional pitched roof design which are considered acceptable in the context of the former farmstead.

13.21. Dorset Council's Conservation Officer has confirmed that there are no identified heritage assets recorded on the site. Although the Conservation Officer notes that the former Owl

Barn could be of local interest, this building is outside of the application site and would not be negatively impacted by the proposed development. No conservation objections were received but input on the design was provided.

13.22. The planning application under consideration has omitted close board fencing from the site boundaries, and the majority of site boundaries are to be screened by hedging as advised at the pre-application stage. Given the sensitivity of the site officers consider it necessary and reasonable to require further details of boundary treatments which will be secured by condition (no.9) and to remove the right to erect fences or other boundary demarcation in front of the dwellings (no. 17) as this could urbanise the appearance.

13.23. It is recognised that the proposed conversion will change the nature of movements within the site which to date have been agricultural. With regards to traffic movements, the Council's Highways Officer notes the previous agricultural use generated four regular two-way HGV movements per day, and sets out that the proposed residential development would be served predominantly by cars therefore removing the HGV movements, which is deemed as a betterment to the existing situation. Although the nature of the traffic entering and exiting the proposed residential development would be predominately residential traffic, the traffic exits straight onto a B road, so it is not anticipated that there would be demonstrable harm to the rural character of the area from the five dwellings given that the access is existing and already used by dwellings.

13.24. The proposed development is considered to be acceptable in principle in terms of policy HE3 subject to conditions and informative notes, as the works are for conversions of the existing buildings, and there is no proposed increase in height or massing of these buildings, and the new car ports can be accommodated following the removal of a third agricultural building which is to be demolished.

13.25. It is considered appropriate in this case to impose conditions requiring further details of soft landscaping and hard landscaping, to include details of means of enclosure, which can be secured by condition. In addition, conditions restricting permitted development rights for extensions and rooflights are also considered necessary in order to protect the character of the National Landscape and the rural area (conditions 14 and 15)

13.26. Officers consider that overall, the proposed conversion of the buildings would conserve and enhance the natural beauty of the National Landscape by bringing the buildings back into use, upgrading existing building materials and providing new soft landscaping on the site. Therefore, subject to conditions including a boundary treatments condition, restrictions on permitted development rights and external lighting, the proposed scheme accords with local policies HE2 in terms of design and character, local policy HE3 in terms of the National Landscape, and policies within the NPPF.

Impact upon Amenity

13.27. The proposed dwellings are to be created from the conversion of 2 existing agricultural buildings and the demolition of 1 agricultural building, and the new dwellings are set far within the site away from the highway.

13.28. Third party representations have noted that there are residential neighbours near to the application site, as shown on the submitted site plans. Concerns were also raised over how common areas will be managed, following construction.

13.29. The Council's Environmental Health Officer was consulted on the application but had no comments to make on the proposal. As the buildings were in former agricultural use an unexpected contamination condition can reasonably be imposed to protect future occupiers.

Separation Distances *(All measurements are approximate, in metres)*	
Distance **from dwellings (Building A)** to west elevation of 2 Kings Close	54.5 m
Distance from **dwellings (Building B)** to west elevation of 2 Kings Close:	25 m
Distance **from dwellings (Building A)** to west elevation of 2 High Lea Farm Cottages	68 m
Distance from **dwellings (Building B)** to west elevation of 2 High Lea Farm Cottages	35 m
Distance from single storey **carports** to west elevation of 2 Kings Close	18 m / 47m
Distance from single storey **carports** to west elevation of 2 High Lea Cottages	31.5 m / 51.5 m

13.30. The distances within the table above demonstrate that the new dwellings are sufficiently distance from the existing two storey dwellings at Queens Close, Kings Close and High Lea Farm Cottages, and these distances would therefore not result in harm to neighbouring amenity in terms of overlooking, privacy. Any impacts would be further mitigated by the boundary hedge screening on the north-east and north site boundaries (within the site).

13.31. Furthermore, the proposed massing and volume of the converted buildings (Buildings A and B) are generally similar to the existing massing, although it is noted that the dormer windows will result in a minimal increase in the overall volume.

13.32. The conversion of these existing buildings would result in a general improvement to the appearance of the site and its setting, and would not result in a harmful impact upon neighbouring amenity of nearby occupants.

13.33. Therefore, officers consider that the proposed development accords with local policy HE2 in terms of neighbouring amenity.

Trees and Landscape

13.34. The Council's Tree Officer was consulted on the planning application and considers that subject to a pre-commencement condition, the scheme is acceptable in tree terms. Such a condition would secure tree protection on the site and ensure that a pre-commencement meeting takes place before works start, which the Tree Officer will attend.

13.35. Therefore, subject to condition, the proposed development accords with local policy HE3 and with the policies in the NPPF.

Highways and Parking

13.36. Hinton Parish Council's objection raises concerns over the proposal resulting in increased traffic egress onto the B3087 road, that the road is traffic hotspot and would be made worse with construction traffic, and that the 20 proposed parking spaces (to serve the 5 houses) is excessive.

13.37. Third party representations received (comments) raised concerns over the contents of the submitted Transport Note and set out that the document is inaccurate, and that it doesn't include recent significant accidents. Third party comments also raise concerns that the access road to the site is currently unsuitable for any increased traffic movements, that there would be highways safety issues, that little information has been provided, that there would be poor visibility. A third party also noted that it was unclear why 20 parking spaces are proposed to serve the houses on the site.

13.38. Following receipt of further information which included a reduction to the number of proposed parking spaces from 20 to 15 spaces, the Council's Highways Officer was consulted and considers that the submitted Transport Note is satisfactory, robust and that the residential cumulative impact of the development cannot be thought to be "severe" when assessing against NPPF paragraphs 115 – 116.

13.39. In summary, the Highways Officer considers that the proposal does not present a material harm to the transport network or to highway safety, and consequently has no objection, subject to conditions to secure the access and parking areas and informative notes.

13.40. Therefore, subject to conditions (no. 11 and 12), the proposal accords with local policies KS11 and KS12, and the policies within the National Planning Policy Framework.

Flood Risk

13.41. The application site is susceptible to groundwater emergence flooding, so in order for the Council to determine whether the proposed conceptual drainage scheme is acceptable, such a scheme needs to clearly demonstrate that the proposal is viable and deliverable for the lifetime of the development and that it will not result in a worsening of flooding to elsewhere.

13.42. The drainage scheme put forward by the applicant proposes a soakaway which is located outside the red line site boundary, but within the blue line site boundary so is within the applicant's ownership.

13.43. However, further information was requested that demonstrates that the scheme is viable and deliverable for the lifetime of the residential development.

13.44. The revised surface water drainage scheme information submitted includes run-off rates which are shown to be an improvement to the existing run off rates, updated groundwater monitoring data, and an ACO drain has now been included which mitigates flood risk to the properties. The additional information also includes further comments by the drainage consultant.

13.45. Subject to a condition to secure the proposed surface water drainage scheme, the proposed development is not anticipated to result in worsening of flooding on the site, or to elsewhere.

13.46. Therefore, subject to a surface water drainage condition (no. 6), the proposed development accords with local policy ME6.

Foul Drainage

13.47. The National Landscape Team have raised concerns that the scheme has no clear mechanism for the disposal of sewage and note that this could negatively impact on the National Landscape.

13.48. Third party comments received have noted that the existing foul drainage pipe runs across part of site from near to 1-2 High Lea Cottages and have raised concerns that development would negatively affect existing foul drainage for neighbouring occupants. However, the application is supported by a Foul Drainage Assessment Technical Note and a completed Foul Drainage Assessment Form.

13.49. The Technical Note sets out that the application proposes a new Package Treatment Plant (PTP), and that it will discharge to an ordinary water course (existing drainage ditch) which itself runs to the watercourse.

13.50. The new PTP is proposes to be located a minimum distance of 7m from all dwellings, and it will be accessed by a vehicle in order for it to be emptied without the need to access internally through any buildings.

13.51. The submitted Technical Note states that the proposal will meet the rules for small sewerage discharge. The submitted completed Foul Drainage Assessment Form confirms that the water supply will be received from the public mains supply,

13.52. Officers therefore consider that the proposed PTP should be secured by condition, to ensure that it is appropriately sited and installed & maintained in accordance with the manufacturer's guidance.

13.53. Subject to a PTP condition (no. 4), the scheme is considered acceptable in terms of how the development will deal with foul drainage.

Scheduled Monument

13.54. Historic England have commented that they are not offering advice on the proposed scheme, but suggest that specialist advisers are consulted.

13.55. The Council's Conservation Officer sets out that a number of redundant farm buildings in the area have already been converted to other uses, that there are no identified designated heritage assets on the site, and that there are no objections to the principle of converting the existing agricultural buildings to residential dwellings within the long term agricultural setting.

13.56. The Council's Archaeologist was consulted and advised that archaeology is not a constraint that requires consideration for this application.

13.57. Given that the application site is located approximately 338.6 metres from the nearest scheduled monument (Round barrow NW of High Lea Farm - List Entry: 1004552), as the site is screened by changes in land levels and an abundance of vegetation, and as the converted buildings are of the same height as the existing agricultural buildings on the site, officers consider that there would be no harmful impact upon the schedule monument or its setting.

13.58. Therefore, the scheme is acceptable in terms of policy HE1 and section 16 of the NPPF.

Biodiversity

13.59. Hinton Parish Council's objection raises concerns that the proposed scheme does not include details on contingencies for bats and owls.

13.60. An Ecological Appraisal and a Biodiversity Certificate of Approval (confirming that NET agree to the Ecological Appraisal report) support the application and the proposed mitigation includes a requirement for sensitive lighting (so that bats are not negatively affected), the installation of a barn owl box, hedgehog gaps in new fencing, 5 no. bat bricks, and 5 no. bird boxes/bricks.

13.61. Natural England noted that the biodiversity mitigation should be secured by condition.

13.62. Subject to a biodiversity condition (no. 7), the proposed development accords with the Dorset Biodiversity Protocol and with local planning policy ME1.

Biodiversity Net Gain (BNG)

13.63. The application is liable to provide 10% net gain. The details submitted with the application confirm the proposed creation of 0.43 units on-site. This leaves a deficit of 0.59 units which will need to be provided off-site.

13.64. A BNG informative note will be included on any approval to highlight the requirement for BNG to be addressed prior to commencement of development.

Impacts upon Dorset Heaths

13.65. Natural England concur with the Council's Appropriate Assessment (AA) subject to mitigation to prevent harm to Dorset Heathlands which can be secured by CIL in accordance with the Dorset Heathlands Planning Framework 2020-2025. As such, a CIL informative note has been added.

Environmental implications

13.66. The application is accompanied by a Sustainability Assessment report which sets out that the design makes sustainable use of existing redundant buildings, that existing structural elements will be re-used, that openings will provide natural light, and the external walls will provide a strong thermal envelope to ensure heat efficiency for future occupiers. The report also highlights the provision of bicycle storage on the site, that surface water management

is proposed, and that low carbon technologies may be considered in the future, where appropriate and feasible.

13.67. Hinton Parish Council raised concerns that no details have been provided on heat pumps, solar panels or electric charging points. An informative note has been added to encourage the applicant on sustainable features that could be introduced to the properties.

Other Matters

Site Notices:

13.68. Hinton Parish Council raised concerns that neighbours were not informed of the application and that no notice was displayed. However, the Site Notices were displayed on the site in 5 locations a week after the first comments were received from the Parish Council. Neighbours and other third parties were provided a further 21 days to provide responses on the planning application.

Lack of Contact between National Landscape Team and Agent/Applicant:

13.69. It is noted that the National Landscape Team state that no contact has been made with the team from the agent or applicant. Although encouraged, there is no policy requirement for the agent or applicant to contact the National Landscape Team prior to submitting a planning application.

Fibre Optic Cable Cabinet:

13.70. A third party comment received notes that a relatively new fibre optic cable cabinet is in the garden of Building B, but it is not shown on site plan. The applicants have since confirmed the position which is close to the eastern boundary and does not affect the acceptability of the scheme.

Building Regulations:

13.71. The Council's Building Control team have noted that fire service accesses should be carefully considered. The access is over 6m wide at its narrowest point and there is a generous onsite turning area, but an informative note will be added to draw attention to Building Control requirements that are beyond the scope of planning.

14. Summary of issues and the planning balance

Dorset Council can currently demonstrate a 5 year housing land supply but it is recognised that the significant increase in the national housing targets requires that additional weight is given to the benefits of proposals for new dwellings. Although the site is in an unsustainable location, it is found to benefit from the exception at NPPF paragraph 84 c) as the development would re-use redundant or disused buildings and enhance their immediate setting. The proposal would conserve and enhance the natural beauty of the Cranborne Chase National Landscape and no other material considerations have been identified that would warrant refusal of the scheme so, subject to conditions, the proposal is recommended for approval.

15. 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:
   011 Proposed Site Location and Block Plan
   012 A Proposed Site Plan
   013 A Proposed Ground Floor Plan - Building A
   014 A Proposed First Floor Plan - Building A
   015 B Proposed Roof Plan - Building A
   016 A Proposed Front (East) Elevation - Building A
   017 A Proposed Side (South) Elevation - Building A
   018 A Proposed Side (North) Elevation - Building A
   019 B Proposed Rear (West) Elevation - Building A
   020 A Proposed Section AA
   021 Proposed Ground Floor Plan - Building B
   022 B Proposed First Floor Plan - Building B
   023 B Proposed Roof Plan - Building B
   024 Proposed Front (South) Elevation - Building B
   025 Proposed Side (East) Elevation - Building B
   026 Proposed Side (West) Elevation - Building B
   027 B Proposed Rear (North) Elevation - Building B
   030 Proposed Car Port Plans (Ground Floor & Roof)
   031 Proposed Car Port Elevations (Front & Rear)
   032 Proposed Car Port Elevations (Sides & Section)
   035 A Proposed Site Section AA

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

3. Prior to commencement of works (including site clearance and any other preparatory works) the scheme for the protection of trees in accordance with the submitted RNapc Arboricultural Impact Assessment ref: 374/AIA/1 (dated 07.12.2022) and the Tree Protection document at appendix B ref: RNapc/374/TPP/1 shall be implemented, and at least 5 working days notice shall be given to the Local Planning Authority that it has been installed. Note: Your attention is drawn to the requirement for a pre-commencement site meeting with the Arboricultural Consultant, Local Authority Tree Officer and Site Manager in attendance.

   Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

4. Notwithstanding the details provided on the submitted Foul Drainage Assessment Form and the Foul Drainage Assessment Technical Note, prior to commencement of the hereby approved development, details of the foul drainage scheme for the site, shall have been submitted to and approved in writing by the Local Planning Authority.
   Thereafter, the approved scheme shall subsequently be implemented prior to the completion of the development.

   Reason: To ensure adequate facilities are provided in the interests of flooding and pollution.

5. 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.

6. The surface water drainage scheme shall be implemented as detailed within the following approved surface water drainage documents, before the development is completed. Thereafter, the approved surface water drainage scheme shall be maintained.
   416.065658.00001_PDL_01 revision P02 Surface Water Drainage Layout (dated 02/05/2025).
   Operation and Maintenance, as per section 4.7 of the Surface Water Drainage Strategy document (revision 01) produced by SLR Consulting (dated 27.06.2024).

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

7. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled ‘Ecological Appraisal by Adam Jessop of Ecosupport (dated 24/06/2024) and certified by the Dorset Council Natural Environment Team on 25/06/2025/
   The development hereby approved must not be first brought into use unless and until:
   i) the recommendations detailed in sections 6.0 (Mitigation/Enhancements) of the approved ecology report have been completed in full, in accordance with any specified timetable, unless otherwise agreed in writing with the Local Planning Authority, and
   ii) evidence of compliance has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved ecology report and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

   Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

8. Notwithstanding the submitted Proposed Site Plan (ref: 012 A), prior to the occupation of the development hereby approved, a detailed soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The scheme shall include a ground rehabilitation scheme to ensure the areas to be planted are prepared adequately to support new planting.

The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

9. Notwithstanding the submitted Proposed Site Plan (ref: 012 A), prior to the occupation of the development hereby approved, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the means of enclosure and hard surfacing materials.
Thereafter, the development shall be carried out in accordance with the approved details.

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

10. The car ports shown on the Proposed Site Plan drawing ref: 012 A must be constructed prior to the occupation of the development hereby approved. Thereafter, they must be maintained and available for the purpose of parking motor vehicles. They should not be converted to use as garages by the provision of doors and/or walled enclosures.

Reason: To ensure that satisfactory on-site parking is provided in a form that allows a vehicle to freely turn within the site curtilage.

11. Before the development hereby approved is occupied, the turning/manoeuvring and parking shown on the Proposed Site Plan drawing ref: 012 A must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

12. Before the development hereby approved is occupied, the visibility splay areas as shown on the Visibility Splays drawing ref: 087.0027-0001 P01 (at Appendix B within the Transport Note ref: 0870027/TN/1 by Paul Basham Associates) must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window(s) or other opening(s) permitted under Class A and Class C of Schedule 2, Part 1 of the 2015 Order, shall be constructed without permission.

Reason: To control the amount of glazing in the interests of the dark night skies character of the Cranborne Chase National Landscape.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order) (with or without modification) no extensions to the dwellings permitted by Class A of Schedule 2 Part 1 of the 2015 Order shall be erected or constructed, within the site.

Reason: In the interests of visual amenity.

16. No external lighting shall be installed unless details are first submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed and thereafter maintained in accordance with the approved details.

Reason: To protect the dark night skies that are characteristic of the Cranborne Chase National Landscape.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order) (with or without modification) no fencing or other means of boundary enclosure permitted by Part 2 Class A shall be erected or constructed forward of the principal elevations of the dwellings unless it is a replacement for enclosure within the approved landscaping scheme.

Reason: To conserve the natural beauty of the Cranborne Chase National Landscape

Informative Notes:

1. Informative: National Planning Policy Framework Statement

   In accordance with paragraph 39 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

   In this case:

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

   - The applicant was provided with pre-application advice.

2. Biodiversity Net Gain

   The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to

have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Read more about Biodiversity Net Gain and Biodiversity Gain Plans at https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain and https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

3. This application is subject to Biodiversity Net Gain. A Section 106 Agreement is likely to be required to secure the maintenance and monitoring of any Biodiversity Gain Plan or Habitat Management and Monitoring Plan (HMMP) approved by the Council.

4. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

5. Fire service access provisions to be carefully considered. Other Building Control issues to be assessed at time of a Building Regulations application.

6. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

7. The applicant is advised that the Council encourages the use of sustainable features that could be introduced to the properties.

8. The applicant is advised that, notwithstanding this consent, before commencement of any works Dorset Council Waste Services should be consulted to confirm and agree that the proposed recycling and waste collection facilities accord with the "guidance notes for residential developments" document (https://www.dorsetcouncil.gov.uk/bins-recycling-and-

litter/documents/guidance-fordevelopers-a4-booklet-may-2020.pdf). Dorset Council Waste Services can be contacted by telephone at 01305 225474 or by email at bincharges@dorsetcouncil.gov.uk.

9. The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

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Eastern Area Planning Committee
23 July 2025

Application Number:	P/FUL/2022/06238
Webpage:	Planning application: P/FUL/2022/06238 - dorsetforyou.com
Site address:	Arne Cottage Dorchester Road Wool Wareham BH20 6EJ
Proposal:	Erect two new dwellings to the rear of the existing building
Applicant name:	Miss M Streams
Case Officer:	Nikki Clayton
Ward Member(s):	Cllr Beddow and Cllr Baker

1. Reason application is going to committee:

The application is before the planning committee at the request of the Eastern Area Planning Committee Chairman.

2. Summary of recommendation:

Grant subject to conditions as set out at the end of this report and the completion of a legal agreement to secure the affordable housing contribution, or, if no agreement is completed then refuse for failure to comply with affordable housing policy H11.

3. Key planning issues

Issue	**Conclusion**
Principle of development	Acceptable-the application site is within the settlement of Wool and in accordance with Local Plan policy V1.
Scale, design, impact on character and appearance	Acceptable - The proposal is considered to accord with Local Plan Policies HE2 and HE3.
Impact on the living conditions of the occupants and neighbouring properties	Acceptable- the proposal is in accordance with Local Plan Policy HE2 and NPPF paragraph 135 which require development to be compatible with its surroundings including avoiding adverse impacts on neighbouring amenity.
Affordable Housing	Acceptable- The application is subject to a S106 agreement for the commuted sums in accordance with Local Plan policy H11.
Flood risk and drainage	Acceptable- The application was supported by satisfactory site specific data to demonstrate no groundwater risk; the proposal does not conflict with local policy ME6.

Issue	Conclusion
Economic benefits	The proposal will add an additional dwelling to the housing land supply with small associated economic and social benefits.
Highway impacts, safety, access and parking	Acceptable- The Highway Authority has advised that the proposal does not present a material harm to the transport network or to highway safety subject to safeguarding conditions being imposed.
Impact on trees	Acceptable-The Council's Tree Team are satisfied that subject to safeguarding conditions the proposal will safeguard trees which are important to the visual amenities of the area.
Biodiversity	Acceptable- The Council's Natural Environment Team have approved the proposed Biodiversity Mitigation Plan and Officers are satisfied that the impact of the development on any protected species can be adequately mitigated by condition. The Appropriate Assessment concluded that the proposed development will not result in an adverse effect upon the integrity of a European Site.

4. Description of site

Arne Cottage is a dwelling on a large, relatively flat plot to the east of Dorchester Road (A352) within the settlement of Wool.

The detached property reads as a bungalow but has rooms in the roof served by dormers. It is set back from Dorchester Road behind a mature boundary hedgerow that abuts the footpath. Nearby dwellings to the south and east are predominantly bungalows, although there are also chalet properties in the vicinity.

The area has a residential character but to the south-west there is a small row of single storey shops with rear parking, and to the north-east is a two storey terrace with shops at ground floor level and first floor flats above served by rear balconies/accesses.

Heras fencing has been erected on the land to the rear of Arne Cottage to separate it from the existing dwelling. This is currently un-developed. There is a single tree in the southeast corner.

5. Background and relevant planning history

6/1982/0020 - Decision: GRA - Decision Date: 15/03/1982

O/A - Redevelop site by erection of 3 dwellings, form access drive.

6/1983/0883 - Decision: GRA - Decision Date: 03/02/1984

Erect bungalow and garage, modify existing vehicular access. RESERVED MATTERS

6/1984/0345 - Decision: GRA - Decision Date: 12/06/1984

Erect two bungalows with garages, form new vehicular access. RESERVED MATTERS

6/1994/0564 - Decision: GRA - Decision Date: 03/10/1994

Erect a bungalow and garage to replace existing dwelling and garage.

6/2006/0684 - Decision: GRA - Decision Date: 21/09/2006

Demolish conservatory and erect extension to extend lounge at rear; erect extension at side to form attached garage.

6/2008/0593 - Decision: REF - Decision Date: 09/02/2009

Erect new roof and convert roofspace into living accommodation.

6/2009/0569 - Decision: GRA - Decision Date: 16/11/2009

Roof alterations and enlargement to form first floor accommodation.

6/2013/0288 - Decision: GRA - Decision Date: 08/07/2013

Erect ground floor front and rear extensions; Extend roof and insert dormer window and roof lights to facilitate loft conversion.

6/2017/0478 - Decision: GRA - Decision Date: 26/10/2017

Erect front and rear extensions, roof alterations and additions, formation of a new first floor.

6/2020/0100 - Decision: GRA - Decision Date: 26/03/2020

Non material amendment to pp 6/2017/0478 (Erect front and rear extensions, roof alterations and additions, formation of a new first floor) to remove chimney, insert roof light instead of dormer window remove window on North elevation and reposition window in West elevation

P/PAP/2022/00546 - Decision-Advice given - Decision Date: 05/10/2022
Erect 3 new dwellings to the rear of Arne Cottage - to include associated parking and refuse collection

The applicant sought pre-application advice before submitting this planning application. The advice given was that the proposals appeared to be acceptable in principle, but more detail was required in respect of an amended site layout to address density concerns, and definitive dwelling layouts and elevations to fully assess impacts on neighbouring amenity. The applicant was also advised that they will also need to ensure that groundwater flood risk is fully modelled and demonstrate that the sequential test can be met if required.

6. List of constraints

Tree Preservation Order - TPO (PDC/TPO 234) - mature Beech Tree, situated in the South-eastern corner of the site

Within Dorset Heathlands - 5km Heathland Buffer

Within Poole Harbour Nutrient Catchment Areas

Risk of Surface Water Flooding Extent 1 in 1000– a very small area on the eastern boundary of the site and on Dorchester Road

Areas Susceptible to Groundwater Flooding; Clearwater; >= 50% <75%; - Distance: 0

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 2721.91

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

7. Consultations

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

Consultees

Natural England

No objection subject to securing mitigation.

Dorset Council - Natural Environment Team

No objection subject to safeguarding condition.

Dorset Council - Highways

No objection subject to a condition to ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

Dorset Council - Dorset Waste Team

Request bins are presented at the end of the driveway/curbside on Dorchester Road.

Dorset Council - Trees (East & Purbeck)

The tree officer reviewed the revised arboricultural report and is satisfied with the amendments made. No objection subject to conditions to safeguard trees which are important to the visual amenities of the area.

Wool Parish Council

Objection:

- Drainage
- The access onto Dorchester Road.
- The density of development
- The access and turning points for emergency vehicles and bin collection.
- The amount of infill development and the effect it will have on the parish's infrastructure

West Purbeck Ward Members

No comments received.

Representations received

Total – objections	Total - No objections	Total - comments
8	0	0

Summary of comments of objections:

8 letters received on the grounds of

a) size and scale

b) loss of privacy

c) overdevelopment of the site

d) loss of light

e) impact on trees

f) drainage and surface water

g) traffic and highway safety; and

h) health and safety from construction.

8.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

In this case development plans for the area comprise the adopted Purbeck Local Plan and the Wool Neighbourhood plan:

Local Plan Adopted Purbeck Local Plan:

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

V1: Spatial strategy for sustainable communities

E1: Landscape

E4: Assessing flood risk

E5: Sustainable drainage systems (SuDs)

E8: Dorset heathlands

E9: Poole Harbour

E10: Biodiversity and geodiversity

E12: Design

H2: The housing land supply

I2: Improving accessibility and transport

I3: Green infrastructure, trees, and hedgerows

Made Neighbourhood Plans

Wool Neighbourhood Plan (made April 2025) including:

Wool 1- Design principles for New Development in Wool Parish

Wool 2- New Residential Development Form

Wool 4 – Environmental Performance of Buildings

Wool 15- Biodiversity Net Gain Opportunities for Wool Parish

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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’ This outlines the government’s objective in respect of land supply with subsection ‘Rural housing’ at paragraphs 82-84 reflecting the requirement for development in rural areas.

- Section 6 ‘Building a strong, competitive economy’, paragraphs 88 and 89 ‘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’ This 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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 National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

- Section 16 ‘Conserving and Enhancing the Historic Environment’- Paragraph 212 says that 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. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

National Planning Practice Guidance

Heathlands plan

<u>All of Dorset:</u>

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

<u>Supplementary Planning Documents/Guidance for Purbeck area:</u>

District Design Guide SPD

Managing and using traditional building details in Purbeck

Poole Harbour Recreation 2019-2024 SPD

<u>Housing land supply</u>

On the 26th September 2024, The Planning Inspectorate issued the Inspector's report confirming the Council's Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025 in accordance with paragraph 233 of the NPPF. An updated APS that reflects the Inspector's findings is available on the Council's website.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

11. 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. 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.

Other than during the construction phase when those who are housebound could be more affected by noise and disturbance, no harm to persons with protected characteristics has been identified.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material considerations	
Affordable housing	£52,000
Non material considerations	
CIL Contributions	£12,040.79

What	Amount / value
Council tax	Band D: £2564.71

14. Planning Assessment

Principle

13.1 The site is located within the settlement of Wool. The Local Plan identifies Wool as a Key Service Village. These are the villages with the highest level of services and population, outside the towns.

13.2 The Parish Council has objected to the development as they note that the settlement has been designate for around 1000 additional houses in the Local Plan and any infill development in additional. They are concerned about the impact on the parish's infrastructure.

13.3 Local Plan Policy V1 identifies that high quality small scale development on unallocated sites within the boundaries of settlements will be supported provided that the scale of development is proportionate to the size and character of the existing settlement, the development does not harm the character and value of any landscape, the proposal would contribute to a mix of different housing types and would not have a negative impact on protected habitat sites.

13.4 Policy E12 requires, amongst other things, that development should support efficient use of land taking account of capacity in existing infrastructure and services, access to sustainable means of transport, the local area's prevailing character and the requirement to deliver high quality buildings and place.

13.5 In this policy context and given that the proposal is for only two additional units, officers are unaware of any significant strain on infrastructure that would justify refusal of much needed housing in this sustainable location.

Impact on the character and appearance of the area

13.6 Policy WOOL 1- Design Principles for New Development of the Neighbourhood Plan requires that development should have regard to the priorities to protect and enhance the identified character areas. The site lies within the 'Mixed Residential' character area where the relevant requirement is to: '*Ensure that proposals for infilling or redevelopment of existing plots at greater densities do not harm the suburban character*.'

13.7 Policy WOOL 2- New Residential Development Form of the Wool Parish Neighbourhood Plan states proposals for new residential development in Wool Parish should demonstrate positive approaches to deliver good residential amenity. In setting the density, layout and massing of new developments, proposals should demonstrate how they respond to the following principles:

i. The height of new development should not be overbearing in relation to neighbouring land uses, should not result in significant harm to the character of the surroundings and should aim to create a design which respects the character of the area.

ii. Where appropriate, new development should respond sensitively to changes in topography to reduce the potential for impacts on residential amenity resulting from overbearing

development. c) Private front gardens should be provided where appropriate and where they are compatible with the character of the surrounding area . Street patterns should be legible and designed to provide rear garden space where overlooking is minimised.

iii. Where properties would have no rear-access, bin storage facilities should be provided at the front.

iv. Car parking provision should reflect the car parking strategy as agreed by the Local Planning Authority.

13.8 Concerns have also been raised by the Parish Council that the proposal represents an unacceptable increase in density, but other than the impact on infrastructure they have not identified harm arising.

13.9 The site is a generous, 0.09ha plot located within the settlement of Wool. Other plots in the vicinity are significantly smaller. The proposal will achieve a housing density of approximately 22 dwellings per hectare (dph) which remains low density but is judged appropriate to maintain the suburban character of the area. The site is of sufficient size to accommodate two dwellings, making more efficient use of land without the site becoming cramped and overdeveloped avoiding harm to the character of the settlement of Wool.

13.10 Given the range of properties immediately adjacent to the site including bungalows, chalet bungalows (including Arne Cottage) and the flats above the shops, it is considered that the introduction of two detached chalet bungalows to the rear of the site would not harm the character and appearance of the area.

13.11 The proposed access drive and turning areas will be the most readily visible part of the development from Dorchester Road. Vegetation on the site has been removed but the front boundary hedge continues to contribute to the character of the area and it will be necessary to condition that full details of both hard and soft landscaping are submitted to ensure these are appropriate (condition 6). It is recommended that a range of materials are used to break up the extent of hard surfacing and parking spaces. Details should also include a suitable defensible barrier between the access driveway and the side elevation of the parent bungalow.

13.12 Policy WOOL 1 of the Wool Parish of the Neighbourhood Plan also states that new buildings and property boundaries should use good quality and durable materials, emphasising the importance of using high-quality materials to ensure the longevity and aesthetic appeal of new developments.

13.13 Details of the proposed materials (red brick, render, concrete tiles and white uPVC windows and doors) have been included in this planning application, and they are considered acceptable as they relate appropriately to the surrounding area.

13.14 Subject to conditions it is judged that the proposal will accord with the design policy E12 and policies WOOL 1 and WOOL 2 of the Wool Parish of the Neighbourhood Plan requirements to positively integrate with its surroundings.

Impact on residential amenity

13.15 Local Plan policy E12 requires that development should avoid and mitigate any harmful impacts from overshadowing, overlooking, noise and other adverse impacts on local amenity.

13.16 The upper floor windows on the side elevations of the proposed dwellings would serve bathrooms/en-suites and therefore it would be necessary and reasonable to require these windows to be obscure glazed and fixed shut to a height of 1.7m above ground floor level to protect the amenity of the occupiers of adjoining properties from overlooking/loss of privacy (condition 12).

13.17 Officers encouraged the submission of amended plans during the process of determining the planning application. The siting of dwelling 2 was altered to increase the distance with the bungalow at 9a Colliers Lane to the east. There is now approximately 6m separation between the flank walls when measured at the front of the new property, widening the distance to approximately 8.5m at its rear. This is judged sufficient separation between the properties to avoid any significant overshadowing and overbearing impact.

Affordable Housing Provision

13.18 The Purbeck Local Plan Policy H11: Affordable Housing requires an affordable housing provision of 20% on small sites of 2 – 9 dwellings in designated rural areas (includes Wool). Such provision would be provided as a commuted sum / financial contribution equivalent to the on-site affordable provision. The proposal will secure the necessary commuted sums via a s106 legal agreement in accordance with this policy.

Highways

13.19 The Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection subject to a safeguarding condition in terms of Turning/manoeuvring and parking construction (nos. 8 and 9).

13.20 Policy KS12 and neighbourhood plan policy Wool 2 require that adequate parking can be provided. The plans indicate 2 parking spaces per dwelling. Under the current car parking standards 2, 4 bedroom dwellings providing two off-street parking spaces would ideally also provide 1 unallocated parking space and 1 visitor parking space to limit the pressure for on-street parking. This can be achieved on site and therefore the proposals fully accord with the policies.

Flooding

13.21 The site lies within an area identified by the Council's Strategic Flood Risk Assessment as being susceptible to high Groundwater levels which could be associated with flooding. There are also several areas identified by the Environment Agency (EA) as having surface water flood risk in the immediate local area. The most significant of these is Dorchester Road, the access to the site. As such, in line with NPPF Paragraph 103, the proposal is accompanied by a Flood Risk Assessment (FRA).

13.22 The applicant updated their FRA to include the results of the ground water testing from an existing well on the site. The depth of the well is approximately 5.5 – 6.0m deep. The monitoring shows the groundwater levels consistently at approximately 3.9m below ground

level. Since the data was collected at a time of high ground water levels (April) and the levels were considerably lower than ground level, this information is sufficient for the FRA to conclude that the groundwater flood risk is low for the site.

13.23 This evidence provides officers with the confidence that the site is at low risk from groundwater flooding and therefore a sequential test is not needed.

13.24 The proposal is supported by a suitable conceptual surface water flood risk management strategy with the aim of not increasing flood risk both within and outside the site. A condition is imposed to ensure that a satisfactory scheme is submitted and carried out (no. 7) so that the proposal accords with policy E5. Furthermore, as the properties would share drainage, officers consider that it is necessary to also secure a management scheme via this condition.

Economic Benefits

13.25 The proposal will add two additional dwellings to the housing land supply with modest associated economic and social benefits.

Trees

13.26 TPO 234 exists on the site, protecting a mature Beech Tree that is situated in the South-eastern corner on a shared boundary. The original TPO schedule describes the tree to be standing in the curtilage of Arne Cottage and overhanging the curtilage of 9a Colliers Lane.

13.27 However, on site the tree appears to stand between Arne Cottage and no. 7 Colliers Lane, with close board fencing abutting the eastern and western side of its main stem. The fencing has been put up so close that it has started causing abrasions, as the stem grows.

13.28 Whilst the beech has clearly been reduced historically, extensive reduction works and removal would not be supported for reasons such as shade or dominance within the garden space.

13.29 Amended plans were accepted during the assessment of the application which repositioned unit 2, to prevent pressure that may arise for tree works and/or removal due to the positioning of the tree in the small amenity space and to protect the root protection areas. The Council's tree officer considers that subject to safeguarding conditions the proposal will safeguard trees which are important to the visual amenities of the area (condition 3 and 4).

Impact upon protected heathland and biodiversity

Heathlands

13.30 The Dorset Heathlands Planning Framework (DHPF) 2020 to 2025 advises that the Dorset Heathlands are an extensive network of lowland heath within south-east Dorset that are recognised for their national and international importance for nature conservation. Evidence shows that the Dorset Heathlands are under significant pressure from an increasing number of people living nearby. As population grows, urbanising impacts from human pressures and damage caused by domestic pets have the potential to cause ongoing adverse effects on the protected habitats and species.

13.31 The overall objective of the DHPF is to establish a framework under which applications for development likely to have a significant effect on the Dorset Heathlands can be permitted (or should be refused) so that any adverse effects on the integrity of the Dorset Heathlands are avoided.

13.32 The strategy deals both with larger developments, which may affect the integrity of these sites alone, and smaller developments where cumulative effects may be the critical factor. The latter provision is necessary to meet the 'in combination' part of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations).

13.33 Dorset Council as decision maker is the competent authority under the Habitats Regulations and is advised by Natural England in how to fulfil these duties. The Council when granting planning permission has to be certain that the proposed development will not have an adverse effect on important areas of nature conservation. Any net increase in residential development within 5 kilometres of protected heathland will have an adverse impact on the Dorset Heathlands. Therefore, measures must be put in place to avoid and mitigate all harm caused.

13.34 The proposed development will provide a financial contribution to the Dorset Heathlands Interim Air Quality Strategy 2020-25 SPD through CIL.

13.35 The mitigation measures set out in the Dorset Heathlands 2020-2025 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). In relation to this development the HIP and SAMM provision will be funded via the Community Infrastructure Levy so the proposal accords with policies E8 and Wool 15.

Biodiversity

13.36 The application is accompanied by a biodiversity checklist certified by NET. Subject to a biodiversity condition to secure the necessary mitigation and on-site enhancement measures, the proposals accord with the Dorset Biodiversity Appraisal Protocol and local policy E10.

Nutrient Neutrality

13.37 The HRA screening identified likely significant effects upon the Poole Harbour Special Protection Area (SPA) and Ramsar as a result of effects upon water quality and the Dorset Heathlands SAC, SPA and Ramsar from recreational pressure and air quality impacts. Therefore, an Appropriate Assessment is required to determine whether the proposal would result in an adverse effect upon the integrity of the Poole Harbour SPA and Ramsar and Dorset Heathlands SAC, SPA and Ramsar.

13.38 The applicant has indicated that the proposed development will deliver mitigation to achieve nitrogen neutrality mitigation by purchasing credits from Natural England associated with their project at the Lyscombe Farm.

13.39 Natural England purchased 335ha of chalk downland and farmland at Lyscombe Farm in early 2024 for the purposes of nature conservation and environmental restoration. The change in land use and management practices at Lyscombe Farm will reduce nutrient inputs

within the Poole Harbour catchment, providing credits for applicants for planning permission to use as mitigation. The purchasing of sufficient credits from Lyscombe Farm will ensure that the effect from the additional nitrogen loading from the proposed development is addressed.

13.40 A pre-commencement condition would be applied to the planning permission for the proposed development to ensure that the correct number of credits are purchased prior to the works starting (no. 5) and a condition will control water usage (no. 13).

13.41 Having concluded that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above European sites, an Appropriate Assessment was undertaken by Dorset Council as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017. The Appropriate Assessment concluded that the proposed development will not result in an adverse effect upon the integrity of a European Site and the planning application may therefore proceed towards determination. The proposal accords with policy E9.

Other Issues

13.42 The Parish Council raised concern about the access and turning points for emergency vehicles and bin collection. The access is large enough to accommodate emergency vehicles but does not provide turning so it is anticipated that emergency vehicles may stop on the main road if needed. This is not an unusual situation. Building Regulations will need to be met in terms of fire safeguards.

13.43 It is not anticipated that the access will be formally adopted, so future occupiers will need to bring their bins to the front of the site for collection by the Council on bin collection days. Bins for two additional dwellings are judged unlikely to cause highway safety issues.

Environmental implications

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

Conclusions

13.45 The proposal will make a modest contribution to housing supply and, subject to a legal agreement to secure affordable housing contributions and conditions, it is in compliance with the Development Plan as a whole. There are no material considerations that would justify refusal so it is recommended that planning permission is granted.

13.46 If the legal agreement is not concluded, then the recommendation is to refuse. It is request that Committee delegate the issue of the decision (either A or B) to officers.

15. Recommendation

To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to either:

A) GRANT planning permission following completion of a S106 Planning Obligation to secure the Affordable Housing Contribution of £52,000 Index Linked index-linked using RPI from the date of this committee report, in lieu of on-site provision

and subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
11 B Location and Site plan
13 E Block Plan
14 B Proposed Floor plans- Plot 1
15 B Proposed Elevations - Plot 1
16 B Proposed Floor plans - Plot 2
17 B Proposed Elevations - Plot 2
18 A Proposed Plans and elevations - garage
19 B Street elevation
12 Topographical Survey
Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall be undertaken in accordance with the Arboricultural Impact Assessment and Method Statement by KJF Consultancy, dated the 29th June 2023, reference: TR.AC.DR.W.W and Tree Protection Plan Ref: TPP.AC.DR.W.W Rev A dated 29.06.23. This condition shall not be discharged until an arboricultural supervision and monitoring statement, the contents of which are to be confirmed at a pre-commencement meeting between the Tree Officer, Arboricultural Consultant and Site Manager, is submitted to and approved in writing by the Local Planning Authority on completion of development.
Reason: To safeguard trees which are important to the visual amenities of the area

4. Prior to commencement of works (including site clearance and any other preparatory works) a pre-commencement site meeting between the Tree Officer, Arboricultural Consultant and/or Site Manager shall take place to inspect the protection for the affected protected trees. The protection of the trees shall be in accordance with the Arboricultural Method Statement detailed within and shown upon the Tree Protection Plan prepared by KJF Consultancy, reference: TPP.AC.DR.W.W Rev A, dated 29.06.23. This is to be installed before any equipment, materials or machinery are brought onto the site for the purposes of development. The protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the planning authority.
Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

5. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour/River Avon/Somerset Levels and Moors Special Protection Area (SPA) and Ramsar have been secured from an accredited nutrient provider and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour/River Avon/Somerset Levels and Moors SPA and Ramsar.

6. Prior to any development above damp course level, a hard and soft landscaping scheme including details of plants to be retained and planted shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.
Reason: In the interest of visual amenity.

7. Prior to the commencement of development a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction and a timetable for implementation of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the approved details including the timetable for implementation.
Reason: To prevent the increased risk of flooding and to protect water quality.

8. Before the development is occupied or utilised the first 6 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

9. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number 22181.13 A must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.
Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

10. There must be no gates hung so as to form obstruction to the vehicular access serving the site. Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

11. The detailed biodiversity mitigation, compensation and enhancement strategy set out within the approved Biodiversity Plan, certified by the Dorset Council Natural Environment Team on 10.10.2022, must be strictly adhered to during the carrying out of the development.
The development hereby approved must not be first brought into use unless and until:
i) the mitigation, compensation and enhancement measures detailed in the approved Biodiversity Plan have been completed in full, in accordance with any specified timetable.
ii) evidence of compliance, including photographic evidence, in accordance with section J of the approved Biodiversity Plan has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved Biodiversity Plan and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.
Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

12. Before the dwellings are brought into use, the windows that serve the first floor bathrooms/ensuites in the dormer windows must be glazed with obscure glass to a minimum industry standard privacy level 3. Thereafter the obscure glazing shall be retained as such. condition.
Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property

13. Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwelling to 120 litres per person per day as measured in accordance with regulation 36 of the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved by the Local Planning Authority before the dwelling is occupied. The submitted details shall include a water consumption calculation for the dwelling in accordance with the Approved Documents referred to above. The approved measures shall be implemented and maintained to the satisfaction of the Local Planning Authority thereafter.

Reason: To secure nutrient neutrality through effective mitigation in the interests of protected Habitat Sites

or B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 23 January 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East

Reason for refusal: The application is contrary to Policy H11 of the Purbeck Local Plan as there is no legal agreement in place to secure the appropriate affordable housing contribution.

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Eastern Area Planning Committee

23 July 2025

Application Number:	P/FUL/2024/01770
Webpage:	Planning application: P/FUL/2024/01770 - dorsetforyou.com
Site address:	15 Churchill Close Sturminster Marshall BH21 4BQ
Proposal:	Demolish the garage, sever land and erect a 2 bedroom bungalow with shared vehicular access and parking
Applicant name:	Mr R & Mrs H Ferrett
Case Officer:	Claire Hicks
Ward Member(s):	Cllr Chakawhata

1. Reason application is going to committee:

At the request of the Committee Chair in the light of objections from the parish council.

2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	**Conclusion**
Principle of development	Acceptable: Within settlement
Scale, design, impact on character and appearance	Acceptable: no harm to characteristic terrace layout
Impact on the living conditions of the occupants and neighbouring properties	Acceptable: no significant harm to neighbouring amenity and appropriate amenity secured for future occupants.
Impact on trees	Acceptable: sufficient distance from neighbouring trees
Impact on highway safety	Acceptable subject to conditions
Flood risk and drainage	Acceptable subject to conditions
Environmental Implications	Acceptable

4. Description of site

The site comprises 0.05ha of level land east of the highway which is currently in residential use. No. 15 Churchill Close forms part of a terrace of two storey dwellings dating from the 1950s that runs along the eastern side of the Churchill Close playing fields in Sturminster Marshall. No. 15 is linked to no. 14 to the north by a single storey side element which may originally have been a garage but now reads as part of the dwellinghouse.

Off-street parking in provided on hardsurfacing in front of the dwelling.

To the rear the garden is predominantly grassed and there is an outbuilding. Hedging and fencing provides boundary demarcation. There are some trees in the garden of no. 16 to the south.

The rear boundary of the site is shared with 89 High Street, a two storey property, and 91a High Street, a bungalow.

5. Description of development

It is proposed to demolish the single storey northern element of no. 15 to form a new vehicular entrance to serve a new single storey dwelling with a fully hipped roof. An outbuilding in the rear garden will also be demolished.

The proposed bungalow will be served by two parking spaces and provides onsite turning. It will face south and provides a private garden to the south and east.

The existing dwelling will retain its off-street parking in front of the dwelling and a modest rear garden.

6. Background and relevant planning history

P/FUL/2023/06212 - 15 Churchill Close, Sturminster Marshall, BH21 4BQ - Demolish existing garage, sever land and erect a detached dwelling with shared vehicular access and on site car parking – Refused on 06/03/2024. The refusal reasons (summarised):

1. Overlooking of the rear garden of numbers 15 and 16 Churchill Close resulting in harm to amenity contrary to policy HE2.

2. Insufficient information submitted regarding the impacts on trees from the proposed development. Potential to harm a mature cypress which is contributes to local amenity and is subject to a provisional tree preservation order contrary to policies HE2 and NPPF section 12.

3. Insufficient information has been provided to demonstrate that the site is not at risk from flooding and that the proposal can be accommodated without increasing flood risk, contrary to policy ME6 and paragraphs 165, 168 and 173 of the National Planning Policy Framework 2023.

7. List of constraints

Within Sturminster Marshall Settlement Boundary

Within Neighbourhood Area; Name: Sturminster Marshall;

Sturminster Marshall Conservation Area - Distance: 96.47

Wessex Water Risk of foul sewer inundation 2023 Medium Risk of Foul Sewer Inundation

Groundwater – Susceptibility to flooding;

Groundwater Source Protection Zone

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 4405.09

Wildlife Present: S41 - insect - butterfly ; - Distance: 8.13

Within Dorset Heathlands - 5km Heathland Buffer;

Scheduled Monument: A shrunken medieval village and earlier prehistoric settlement remains at Walnut Tree Field (List Entry: 1008750.0); - Distance: 451.28

Historic Landfill Site: Bailey Gate Industrial Estate - Distance: 234.44

EDDC Contaminated Licence Number: , Site Description: CHURCHILL CLOSE, Sturminster Marshall, BH21 4BH- Distance: 98.23

Radon: Class: Class 1: Less than 1% - Distance: 0

8. Consultations

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

Consultees

1. **Natural England** (04/09/2024) no objection subject to securing mitigation

   Concurs with the Council's appropriate assessment.

2. **Dorset Council Highways** – (04/06/2024) no objection subject to conditions and informatives.

   The proposal does not present a material harm to the transport network or to highway safety: 2 parking spaces for the new dwelling is in line with Dorset Council's parking standards guidelines.

The parking area has sufficient space for the vehicles to be able to turn on-site and exit in a forward gear.
The traffic impact associated with one new dwelling would be minimal, especially in the AM and PM peaks, and is not thought to be severe in terms of the National Planning Policy Framework (NPPF), paragraphs 114 and 115 – December 2023.
It is reasonable to expect that all drivers would drive with due care and attention to the conditions that surround them, taking into consideration the most vulnerable road users.

3. **Dorset Council Flood Risk Management** (01/04/2025) no objection

   The surface water drainage strategy is acceptable.

4. **Dorset Council Conservation Officers-** (17/05/2024) no objection

   No heritage assets are affected by this proposal

5. **Dorset Council Natural Environment Team-** no objection subject to conditions

6. **Dorset Council Environmental Protection-** (31/07/2024) no objection subject to conditions

   The proposed residential development lies within 250m of areas with historic potentially contaminative land use so there is the potential for unexpected contamination.

   The applicant should be made aware of recent guidance about air source heat pump noise and vibration.

7. **Dorset Council Trees (East & Purbeck)-** (19/06/2024) no objection

Whilst the tree has not been plotted, it is evident the reduction in units and reconfiguration of the layout (when comparing it against the previous submission P/FUL/2023/06212) has pulled the dwelling and parking bays away from the southern boundary and neighbouring tree (approx. distance between southern elevation and tree 14m). No arboricultural detail is necessary in this instance.

8. **Sturminster Marshall Parish Council-** (7/06/2024) objection

   The previous reasons for refusal still apply; impact on the TPO tree and insufficient evidence of flood impact.

   Overdevelopment of the lot would compromise the character of this part of the village.

   Inadequate access with no provision for turning; highway safety concerns due to car parking adjacent to the access and potential for cars to exit in reverse

   5 new houses in Churchill Close are still on the market

9. **Stour And Allen Vale Ward Member** – no comments received

Representations received

Total - objections	Total - No objections	Total - comments
3	0	0

Summary of comments of objections:

Harmful to the character of the area- incongruous, cramped and congested form of development, will upset the pattern of existing gardens, fencing not aesthetically pleasing, only change from the refusal is building height, would set a precedent.

Impact on trees- insufficient information

Impact on neighbouring amenity- loss of natural light/overshadowing for 91A and 91B High Street and their gardens, increased noise and disturbance from additional residents and air source heat pump, potential smell/nuisance from bins, overlooking and loss of privacy.

Impact on highway safety- harm to pedestrians, increased traffic movements

Impact on flood risk- lack of proposals, run-off currently onto neighbouring gardens, concern soakaway could not be accommodated on limited plot size

Impact on biodiversity- blackbird nesting

Other issues- current building to be demolished is habitable, not a garage. Lack of desirability evidenced by similar backland builds understood to still be for sale. Reduced property values.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

In this case the development plan comprises:

Adopted Christchurch and East Dorset Local Plan:
The following policies are considered to be relevant to this proposal:

- KS1: Presumption in favour of sustainable development
- KS2: Settlement hierarchy
- KS11: Transport and development
- KS12: Parking provision
- LN1: Size and types of new dwellings

- LN2: Design, layout and density of new housing development
- HE2: Design of new development
- HE3: Landscape quality
- ME1: Safeguarding biodiversity and geodiversity
- ME2: Dorset heathlands
- ME6: Flood management, mitigation and defence

Made Neighbourhood Plans

Sturminster Marshall Neighbourhood Plan - (made October 2024):

- Policy SMNP1: Sustainable Development Standards
- Policy SMNP2: Control of Flooding
- Policy SMNP10: Design Principles - Layout
- Policy SMNP11: Design Principles: Building Form and Scale
- Policy SMNP12: Design Principles: Boundary Treatment and Public Realm
- Policy SMNP13: Design Principles: Materials and Architectural Design
- Policy SMNP22: Parking Standards

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal

and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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’ This outlines the government’s objective in respect of land supply with subsection ‘Rural housing’ at paragraphs 82-84 reflecting the requirement for development in rural areas.

- Section 11 ‘Making effective use of land’

- Section 12 ‘Achieving well designed places’ This 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 131 – 141 advise that:

  The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

  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’- Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

<u>Other material considerations</u>

National Planning Practice Guidance

Including ‘Determining a planning application’ and ‘Flood risk and coastal change’

Supplementary Planning Documents/Guidance

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Housing land supply

On the 26 September 2024, The Planning Inspectorate issued the Inspector's report confirming the Council's Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025 in accordance with paragraph 233 of the NPPF. An updated APS that reflects the Inspector's findings is available on the Council's website.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

11. 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. 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.

No harm to persons with protected characteristics has been identified beyond the construction phase during which those who are housebound would be more impacted by disturbance. The property is single storey so is anticipated to be accessible, although no other particular accessibility arrangements are identified in the application.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material considerations	
None	
Non material considerations	
CIL	£7,587.59 (subject to receipt of evidence of existing floor space)
Council tax	£2577.49 (band D)

14. Planning Assessment

14.1 The main considerations for this application are:

- Principle of development
- Impact on the character of the area
- Impact on neighbouring amenity
- Impact on highway safety

These and other issues are assessed below.

Principle of development

14.2 The application site is situated in the urban area where the principle of development is considered acceptable, subject to all material planning considerations.

The impact on the character of the area

14.3 The Parish Council and neighbours are concerned that the proposed development would be overdevelopment, which would negatively impact on the character of the area.

14.4 Policy LN2 of the Local Plan requires that the design and layout of new housing development should maximise the density of development to a level which is acceptable for the locality. The Policy states *"a minimum density of net 30 dwellings per hectare (dph) will be encouraged, unless this would conflict with the local character and distinctiveness*

of an area where a lower density is more appropriate". The increased density arising from the dwelling will be evident to those resident in the immediate vicinity and will be glimpsed from the highway but officers consider that the proposal can be accommodated without harm to the character and distinctiveness of the area.

14.5 Policy SMNP9 of the adopted Neighbourhood Plan requires that development should follow the key design principles of the character area in which it is based as well as general design principles. The following design principles for development in Churchill Close are provided by the Neighbourhood Plan:
'This area has a very distinct character linked to the immediate post-war period that is considered to be unique to the village. Further built development or replacement dwellings within this area is not encouraged, as it is likely to compromise the unique, planned character of this estate. The following key principles should be used as a guide: • Any development should respect the unique character of the planned 1950s estate, including the characteristic building line, height, rhythm and materials, and the use of communal green spaces'."

14.6 The streetscene is characterised by predominantly terraced and semi-detached houses in red brick with some render which are arranged to frame the open space. Properties are mainly two storey in height and the use of standard housing types has created a broadly continuous roofline although there are some bungalows in an annexe off the main close to the north.

14.7 The proposed backland development would be positioned behind the existing dwelling, number 15 Churchill Close, which is part of the terrace of properties facing onto the public open space. The increased density will impact on spaciousness, but the site is considered large enough to accommodate the bungalow and associated amenity space without resulting in overdevelopment.

14.8 Backland development has already been constructed on plots to the rear of 21 & 22 Churchill Close (planning reference 3/20/0478/FUL) approximately 50m to the south of the site. In granting planning permission at appeal, the Inspector determined that the development could be accommodated without harm to the character of the area. This decision was prior to the adoption of the Neighbourhood Plan, but it is judged that the modest proposal could similarly be accommodated without harm; the proposed dwelling would not be readily seen in the street scene which would continue to be dominated by the characteristic terraced properties. In views from the High Street the dwelling would also have little visual impact due to its single storey form and siting behind existing dwellings.

14.9 The proposal for single storey, backland development departs from the characteristic layout and form of houses surrounding the open space on the Churchill Close estate, but the position of the site will screen the single storey development in most views, enabling more efficient use of land without compromising the unique, planned character of the

estate. For this reason, it is considered that the proposal does respect the character of the estate as required by policy SMNP9. The single storey form does not conflict with policy SMNP11, which requires that building heights should be equivalent to those found in the area; bungalows form part of the existing character area and on this backland site the proposed single storey form and siting allows the special character of the estate to be retained.

14.10 Neighbourhood Plan policy SMNP12 encourages the use of road frontage boundary treatment to reinforce the linear form and rural character of the street layout. The application site has already had its front boundary wall removed and to achieve off road parking and the proposal will retain the existing arrangement.

14.11 Policy SMNP13 requires that architectural design should include features that add interest. Neighbours have objected to the design of the proposed dwellinghouse, which they consider to be unattractive. The design is simple, with a fully hipped roof and symmetry of window arrangements on the principal elevation facing south. The west elevation facing the highway incorporates a window which provides interest and given the recessed position which limits the contribution that the development will make to the streetscene, the critical contributor to acceptability will be the materials which are yet to be identified but can be secured by condition.

14.12 The scale and design of the proposed development is considered to be appropriate for the context of the site and would not adversely affect the street scene and character of the area. The proposed development would comply with principles set out in the policies of the Neighbourhood Plan, and Policy HE2 (Design of New Development) of the Local Plan, and NPPF (2024) Section 12 (Achieving Well Designed Places).

Impact on trees

14.13 There are no trees on site but to the south a Cypress tree has recently been the subject of a Tree Preservation Order. The previous application for a dwelling on the site (ref: P/FUL/2023/06212) was refused due to a lack of information to demonstrate compatibility with neighbouring trees. Concerns have been raised by the Parish Council and neighbours that this issue remains pertinent to the current application

14.14 Dorset Council's Trees Officer has considered the proposal and has raised no objection, noting that the dwelling and associated parking bays have been pulled away from the southern boundary and the neighbouring trees compared to the refused scheme. Given the distance between the southern elevation and the neighbouring tree there has been no request for arboricultural details as it is considered that the proposal is compatible with the trees.

Impact on Neighbouring Amenity

14.15 Neighbours objected to anticipated overlooking, loss of natural light, overshadowing and loss of privacy.

Loss of Natural Light / Overshadowing

14.16 Neighbours are concerned that the design of the proposed development will cause overshadowing resulting in harm to the amenities of the occupants of 91A and 91B High Street and neighbouring properties.

14.17 The proposed development is a single storey bungalow with a fully hipped roof. The maximum ridge line for the proposed bungalow is approximately 4.6m. The proposed dwelling would be sited to the west of 91A and south-west to 91B High Street. Some loss of light in the evenings to the rear elevation and rear garden of 91A and 91B High Street would be anticipated, as the sun sets in the west. However, the overshadowing would only affect part of the gardens and would not be to a degree that would represent demonstrable harm justifying refusal.

Increase in Noise and Disturbance

14.18 Neighbours were concerned that the bins and bike storage would be to the rear of the proposed development, resulting in smells and nuisances, which would affect the enjoyment of those living in 91A High Street.

14.19 The noise impact from one additional property is unlikely to be significantly greater than the noise which is produced from the existing current use (residential dwelling). The site is in a residential area, therefore, bin storage is expected on properties and for ease of access it is anticipated that these would be kept to the front or side of the property where it is unlikely that any nuisance would arise.

14.20 No details of an air source heat pump have been provided. An informative note will draw the applicant's attention to the need to comply with permitted development rights or seek express permission.

Overlooking and Privacy

14.21 Neighbours objected due to concerns that the proposed development would overlook and cause loss of privacy to 91A and 91B High Street and other neighbouring properties, including patios and gardens. A neighbour pointed out that a window will overlook 91A High Street, and that it appears there are no windows which will be obscure glazed.

14.22 The proposed bungalow would be on flat relief so boundary treatment would be anticipated to provide mitigation from overlooking. The distance from the rear elevation to the rear boundary is approximately 5.0m, and from the rear elevation to 91A High Street is approximately 14.5m. These separation distances are considered acceptable, as the proposed development is a bungalow. A condition will be necessary to remove permitted development rights for extensions, roof alterations and windows above ground floor level

in the interests of neighbouring amenity, and to ensure that the future relationship and impacts of any future development proposals on the adjoining dwellings are fully considered given the proximity of neighbours. Details of soft and hard landscaping can also reasonably be secured by condition in the interests of neighbouring amenity.

14.23 A condition will also be added to ensure the solar panels have an anti-reflective coating to reduce glare in order to safeguard the amenities of the occupants of neighbouring properties by reducing potential for glare.

Amenity for occupants of the new dwelling

14.24 Local Plan Policy LN1 'The Size and Type of Dwellings' and the Housing and Affordable Housing SPD advise that that the minimum space requirements for a single storey 2 bed, with 4-bed spaces, dwelling is 70m^2. The proposed dwelling has a floor area of approximately 70m^2, which is in accordance with this guidance and the national minimum space standards.

14.25 No. 89 High Street has a single first floor window facing the application site. This is 12m from the shared boundary and there is an intervening outbuilding which will provide some screening for the proposed garden area of the dwelling. The proposed glazing in the east elevation will be positioned approximately 20m away from the rear elevation of no. 89 so any oblique overlooking would be limited. No. 91a is a bungalow with rooflights facing the site and positioned over 10m from the shared boundary. No. 15 and its neighbours also have first floor windows which will be positioned approximately 16m or more from the garden area and proposed west window where overlooking will be oblique. Whilst it is recognised that the proposed bungalow its garden will experience overlooking from neighbouring bedroom windows, this is not judged to be at a level that is unusual within a settlement so as to justify refusal.

Amenity impacts summary

14.26 With the above conditions added, the proposed development would minimise general disturbance to amenity so complies with Policy HE2 (design of new development) of the Local Plan, and NPPF (2024) Section 12 (achieving well designed places).

Impact on Highway Safety

14.27 The Parish Council objected due to highway safety concerns, particularly at *"the entrance to the proposed development as there will be cars parked either side of the junction making visibility difficult. A safety risk is posed by vehicles having to exit the property by reversing. The Parish Council feels that the access is inadequate as there is no provision for turning."* Neighbours have also objected due to concern of more traffic, and associated highway safety.

14.28 Dorset Council Highways have confirmed that they have no objection to the scheme. The parking provision for the existing and proposed dwelling is in line with Dorset Council's

parking standards guidelines and there is sufficient space for the vehicles to be able to turn on-site and exit in a forward gear. The existing dwelling will retain sufficient space for two vehicles at the front of their property, and the new dwelling would have two car parking spaces. The additional trip rates would be minimal, and it is reasonable to expect that all drivers would drive with due care and attention to the conditions that surround them, taking into consideration the most vulnerable road users.

14.29 Subject to conditions to secure the parking and turning area and to control gates, no material harm to the transport network or to highway safety has been identified so the proposed development would comply with Policies KS11 (Transport and Development), and KS12 (Parking Provision) of the Local Plan.

Impact on Flood Risk

14.30 The site is within an area identified by the Council's Strategic Flood Risk Assessment as being susceptible to high groundwater levels and therefore there is the potential for flooding. Objections have been raised that the proposal would increase flood risk.

14.31 The application is supported by a site-specific Flood Risk Assessment and Surface Water Drainage Strategy (AEG3799_BH21_SturminsterMarshall_01_v4, received on 31/03/2025). This demonstrates that the ground water levels are sufficiently low that the site is unlikely to flood. The Surface Water Drainage Strategy shows that the site will have a soakaway and permeable paving to manage the surface water runoff. The Council's Flood Risk Management Engineer is satisfied by the information supplied.

14.32 A condition will be added to ensure the Flood Risk Assessment and Surface Water Drainage Strategy is complied with so that the development complies with Policy ME6 (Flood Management, Mitigation, and Defence) of the Local Plan, and NPPF (2024) Section 14 (Meeting the challenge of climate change, flooding and coastal change).

Impact on Protected Heathland

14.33 The site lies between 400m and 5km from several Sites of Special Scientific Interest of international importance that are designated as Dorset Heathlands Habitat Sites. Since an increase in residential units is proposed which is likely to have a significant impact on protected sites, an appropriate assessment under The Conservation of Habitats and Species Regulations 2017 was required to be undertaken by the Council as 'Competent Authority'.

14.34 An appropriate assessment has concluded that there would not be an adverse cumulative impact on the integrity of the Habitats Sites. This is on the basis of the mitigation available through the adopted Dorset Heathlands Planning Framework 2020-2025 which identifies opportunities to mitigate against the impacts of new dwellings on the heathland. The

necessary contribution towards heathland mitigation will be secured via the Community Infrastructure Levy (CIL) so the proposal accords with Local Plan policy ME2.

Impact on Biodiversity

14.35 Neighbours have mentioned that there are blackbird nests in the hedge along the eastern boundary, and that the biodiversity reports shows there is a risk of disturbance by the development.

14.36 The application is supported by an ecological impact assessment that has been certified by the Dorset Natural Environment Team. A condition will be added for the applicant to implement the identified biodiversity mitigation.

14.37 The agent provided an amended Biodiversity Net Gain (BNG) Statement, and the Small Site Metric to the Council on 23/05/2025. The statutory condition will secure 10% BNG.

14.38 Subject to the above condition being added, the proposed development complies with Policy ME1 (Safeguarding biodiversity and geodiversity) of the Local Plan.

Other Issues

14.39 Neighbours are concerned that the public services (including foul drainage) will not be able to cope with the additional dwelling. The proposal is to connect to the mains sewer and the developers will need to comply with Building Control requirements.

Environmental implications

14.40 The proposed dwelling will be constructed to meet ultra-low energy demand by design. It is anticipated that it will be heated by Air Source Heat Pump although details have not been provided at this stage. Solar panels which are part of the design will provide energy. Waste will be minimised by reusing the demolished structure as hard core. Water use will be restricted in line with Building Control Requirements and surface water will be managed to conserve water via the installation of water butts. With these measures in place the environmental implications of the new dwelling will be minimised.

15. Summary of issues and the planning balance

The proposal will secure an additional dwelling in a sustainable location in accordance with policy KS2. No conflict with the neighbourhood plan or Local Plan policies nor other material consideration has been identified that would justify refusal.

Recommendation: Approve 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 Plan
01 A Proposed Floor Plans & Elevations
AMENDED - Block Plan Showing Parking

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

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i. No bonfires
ii. Protection of nearby receptors from dust arising from construction and vehicle movements and storage of waste materials prior to removal from site
iii. Operating times of construction
iv. Other mitigation measures to reduce noise during the build.

Reason: In the interest of residential amenity and to manage any possible adverse effects associated with the development.

4. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled Ecological Mitigation, Enhancement and Management Plan, v2, by Arbtech and dated 29/04/2025, and certified by the Dorset Council Natural Environment Team on 22/05/2025.
The development hereby approved must not be first brought into use unless and until:
i) the compensation, mitigation and enhancement measures detailed in the approved ecology report have been completed in full, in accordance with any specified timetable, unless otherwise agreed in writing with the Local Planning Authority, and
ii) evidence of compliance has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved ecology report and thereafter the approved compensation, mitigation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

5. 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.

6. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development is occupied and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

   Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

7. Prior to the development above damp course level, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. If within a period of 5 years from the date of the planting of any tree/plant, that tree/plant or any tree/plant planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree/plant of the same species and size as that originally planted shall be replanted in the first available planting season unless the Local Planning Authority agrees in writing to any variation.

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

8. Prior to occupation the development shall be completed in accordance with the proposed works detailed in the Flood Risk Assessment and Surface Water Drainage Strategy - AEG3799_BH21_SturminsterMarshall_01_v4 (Received on 31/03/2025), and shall be maintained as such thereafter.

   Reason: In order to safeguard the accommodation from unnecessary flood risk.

9. Before the development is occupied or utilised the first 5.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

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

10. Before the development is occupied or utilised the turning/manoeuvring and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

11. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

    Reason: To ensure risks from contamination are minimised.

12. The photovoltaic panels hereby approved shall have an anti-reflective coating to reduce glare unless otherwise agreed in writing with the Local Planning Authority.

    Reason: To safeguard the amenities of the occupants of neighbouring properties by reducing glare.

13. There must be no gates hung so as to form obstruction to the vehicular access serving the site.

    Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) of the dwellinghouse hereby approved, permitted by Class A and Class B nor windows above ground floor level permitted by Class C of Schedule 2 Part 1 of the 2015 Order, shall be erected, constructed or installed.

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

Informative Notes:

1. Informative: National Planning Policy Framework Statement

   In accordance with paragraph 39 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

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

2. 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.

3. The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

4. The applicant is advised that the site lies within an area of ground water protection. Care should be taken during the construction to avoid any contaminants entering the ground water.

5. Street Naming and Numbering

   The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information. https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering

6. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

7. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.

8. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until

revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

9. Biodiversity Net Gain

   The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

   (a) a Biodiversity Gain Plan has been submitted to the planning authority, and

   (b) the planning authority has approved the plan.

   The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Dorset Council.

   There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

   Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

   Read more about Biodiversity Net Gain and Biodiversity Gain Plans at https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain and https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

10. This application is subject to Biodiversity Net Gain. A Section 106 Agreement is likely to be required to secure the maintenance and monitoring of any Biodiversity Gain Plan or Habitat Management and Monitoring Plan (HMMP) approved by the Council.

11. This permission does not include an air source heat pump so any air source heat pump installation must comply with permitted development criteria.

Eastern Area Planning Committee
23 July 2025

Application Number:	P/FUL/2024/07588
Webpage:	Planning application: P/FUL/2024/07588 - dorsetforyou.com
Site address:	47 Brook Lane Corfe Mullen BH21 3RD
Proposal:	Erect a replacement dwelling, garage and cycle store on the southern side of the applicant land to the area outlined in red and shown as Plot A on the site/block plan
Applicant name:	Mr N Briant
Case Officer:	James Brightman
Ward Member(s):	Cllr Florek and Cllr Sowry-House

1. Reason application is going to committee:

The application has been referred to committee by the Eastern Area Planning Committee chairman

2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	Site in urban area- compliant with Core Strategy Policy KS2
Impact on the character and appearance of the area	Extant permission for a detached two-storey house on the application site. The proposed scale, design and external materials are acceptable and Local Plan design Policy HE2 is complied with as the proposal would be compatible with its surroundings
Impact on the amenity of the occupants of neighbouring properties	Proposal has been designed not to have a harmful impact on the amenity of the occupants of neighbouring properties
Living conditions of occupants of the proposed dwelling	The proposed dwelling would offer an acceptable living environment for its occupants
Impact on road safety	No road safety concerns & acceptable on-site parking provision would be provided

Issue	Conclusion
Impact on Biodiversity	Condition 8 requires details of biodiversity enhancement measures to be submitted and agreed and this would provide the appropriate biodiversity mitigation

4. Description of site

4.1 The application site subdivides the plot at 47 Brook Lane (also known as Smugglers Hyde), occupies most of the south part and is referred to as 'Plot A'. The northern part of the site, also in the applicant's control is 'Plot B' but this is not part of the current application. The dashed outline of a building footprint on Plot B is shown indicatively on the proposed block plan and appears to be that of the two-storey house approved under application P/FUL/2023/01483 or the bungalow approved under application P/FUL/2023/04037. Both these permissions remain extant.

4.2 The southern boundary of the application site is with the adjacent detached house at Kestor; the eastern (rear) is with Plot B and close to the rear boundary of the house at 155 Hillside Rd and the northern boundary is with Plot B.

4.3 There are two existing accesses serving Smugglers Hyde, located close to the northern and southern site boundaries. Ground levels fall away across the site from north to south and rise from west to east.

4.4 The site lies within the urban area of Corfe Mullen and close to the western edge of the settlement. Land to the west of the application site is agricultural and lies within the South East Dorset Green Belt and within an Area of Great Landscape Value.

4.5 Brook Lane is a Bridleway. The unmade section of Brook Lane in the vicinity of the site is characterised by detached dwellings, relatively well spaced apart, in a mixture of architectural styles.

4.6 Across the lane and opposite the western boundary of the site is a line of Oak trees covered by a Tree Preservation Order (TPO).

5. Description of development

5.1 It is proposed to sever the plot and construct a detached 2 bedroom, two storey dwelling facing Brook Lane with parking and a detached double garage and detached cycle store at the front.

5.2 The proposal will necessitate the complete demolition of the remaining dilapidated Smugglers Hyde dwelling (the central part of that dwelling has already been almost completely demolished).

5.3 The proposed dwelling would be an alternative to the extant planning permission for a much larger replacement property across the whole of the applicant's land and an alternative to other extant permissions for a replacement dwelling on the subdivided application site.

5.4 The dwelling would have red brick walls, slate effect roof tiles and UPVC and timber windows. It would be sited further from Brook Lane than the adjacent house at Kestor to the southwest and a similar distance from the lane than the remainder of the existing Smugglers Hyde dwelling.

5.5 The design is for a two-storey building with 162.7sq metre gross internal area and a shallow pitched and hipped gable roof. A lower ground floor (underground) would provide a media room and WC.

5.6 The proposed ridge level would be 100mm higher than the ridge of Kestor and 600mm lower than the highest ridge of the former dwelling on the site and this relationship is shown in the submitted street scene (Drawing P599 SS.02).

5.7 The main outlook from the new dwelling would be onto Brook Lane and to the rear towards Hillside Rd. The south (side) elevation facing Kestor includes one ground floor and one first floor window which are shown to be obscure glazed as they serve as secondary windows. A single ground floor secondary window is to face Plot B in the north (side) elevation.

6. Background and relevant planning history

6.1 There is a section of two-storey building currently on the application site and this is all that remains of the original 'Smuggler's Hyde' that burnt down around 2005. The remaining footprint of 'Smugglers Hyde' extends into Plot B (immediately to the north of the current application site).

6.2 47 Brook Lane (comprising Plots A & B) has an extensive planning history with 16 planning applications approved for new dwellings since 2005. The site history also confirms that there is a restrictive covenant on the land which prevents additional dwellings from being built, but this covenant is a private matter and not one that may be considered under the planning system.

6.3 Planning Permission 3/15/1189/FUL for a single dwelling remains extant and capable of implementation so has established the principle of a replacement dwelling on the site. Two similar applications to the current application which relate to part of the site were approved at the Eastern Area Planning Committee on the 10 January 2024 and at the same meeting an application for a detached dwelling on Plot B (northern plot) was also granted consent. These three applications (set out below) remain extant and capable of being built out. They therefore represent material considerations in the current planning assessment.

P/FUL/2023/04037 - Decision: GRA - Decision Date: 10/01/2024: Erect a new dwelling on the northern side of the land (Plot B)

P/FUL/2023/04067 - Decision: GRA - Decision Date: 10/01/2024: Sever the plot and erect a replacement dwelling to southern side of land (Plot A). As amended by plans rec'd 29/11/23 to omit personnel door on S elevation.

P/FUL/2023/04227 - Decision: GRA - Decision Date: 10/01/2024 Demolish the remaining section of the existing dwelling. Erection of replacement dwelling, double garage and cycle store (Plot A on south part of land). As amended by plans rec'd 29/11/23 to omit personnel door on southern elevation.

6.4 There is a second application for consideration at this committee on the same site under reference P/FUL/2024/07588. The application proposes to erect a dwelling with the same design but omitting the basement.

7. List of constraints

Within Corfe Mullen Settlement Boundary

Tree Preservation Order - TPO (EDDC/CM/104) - Opposite site along Brook Lane

Dorset Heathlands - 5km Heathland Buffer

Neighbourhood Area; Name: Corfe Mullen; Status Designated 03/03/2021

Public Rights of Way: Footpath E37/19; - Distance: 46.34; Bridleway E37/18; - Distance: 1.81 & Bridleway E37/17; - Distance: 30.78

Risk of Surface Water Flooding Extent 1 in 1000 – in Brook Lane and over small area of south boundary of site

Natural England Designation - RAMSAR: Poole Harbour (UK11054); - Distance: 4189.48 & RAMSAR: Dorset Heathlands (UK11021); - Distance: 1521.39

Wildlife Present: bat; - Distance: 1.26m

Site of Special Scientific Interest (SSSI) impact risk zone

Groundwater Source Protection Zone

Radon: Class: Less than 1%

8. Consultations

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

Consultees

1. **Dorset Council - Highways** – No objection

- Sufficient parking for the proposed dwelling.
- Sufficient space for vehicles to turn on site.
- Brook Lane has limited number of vehicles using it & speeds would be low due to the nature of the road.
- Brook Lane is not adopted highway maintainable at the public's expense.
- The traffic impact of one, two bed dwelling would be minimal and not severe in terms of the NPPF paragraphs 115 and 116 - December 2024.
- It is reasonable to expect that all drivers would drive with due care and attention to the conditions that surround them, taking into consideration the most vulnerable road users.
- The proposal does not present a material harm to the transport network or to highway safety
- Conditions advised to require construction of parking, turning & cycle parking and an informative regarding electric vehicle charging points.

2. Dorset Council - Building Control East Team - comments

- It appears that the proposal does not satisfy the requirements of Building Regulations 2010 Approved Document B Volume 1 B5 Access & Facilities for the Fire Service.

Officer comment: There are extant permissions for a replacement dwelling on the site. Works to the private highway to implement any planning permission on this site may be required in order to comply with Building Regulations; this is a separate matter.

3. Dorset Council – Tree Officer – No objection

- A group Tree Preservation Order covers the trees situated to the north of the site on the other side of Brook Lane. It is important these trees are duly considered when large vehicles are accessing the site to ensure damage to the lower canopies is limited.
- There are no significant trees on site and a laurel hedge denotes part of the site boundary. The retention of a green frontage is desirable and would maintain the semi-rural character of this part of Brook Lane.
- The site is large enough to accommodate a robust planting scheme to incorporate new trees and hedging which will provide mitigation for the loss of removed vegetation.
- Conditions advised to require details of any access facilitation pruning works and a construction traffic management plan showing the vehicular routes and access points for high sided vehicles & to require details of soft landscaping and planting.

4. Corfe Mullen Town Council- objection

- Access to site is dangerous as Brook Lane is a single track, un-adopted gravel lane which would not cope with additional traffic

- Potential severing of plot to result in high density housing for remainder of plot contrary to Christchurch and East Dorset Local Plan policy LN2
- The size of the proposed dwelling is overlarge for the severed plot and is unsympathetic to the more spacious character and appearance of existing development in the unmade part of Brook Lane. This will result in a cramped development which is out of character with the immediate area of Brook Lane and is therefore contrary to Christchurch and East Dorset Local Plan Policy HE2

- The street scene provided is misrepresentative, particularly in relation to the size of existing adjacent dwellings.

4. Corfe Mullen Ward Member

- Cllr Sowry-House commented to report that the site/block plan was missing. This was rectified during the application.

Representations received

Total - objections	Total - No objections	Total - comments
1	0	0

Summary of comments of objection:

- Brook Lane is not suitable for fire service access and concern over means of escape from basement rooms.
- Poor vehicular access and dangers at a steep bridlepath corner.
- Inadequate parking provision
- Excavating basements is impractical and uneconomical.
- Extensive excavation on a steep slope could worsen local flooding and compromise nearby structures.
- The house is likely to be marketed as a 4-bedroom property despite being stated as a 2-bedroom house- previous decisions have ignored the likelihood of basement rooms being used as bedrooms.
- Significant harm to the character and appearance of the area, unrealistic street scene representation
- Loss of privacy
- Disturbance from mechanical ventilation
- Light pollution
- Overdevelopment

- Adverse impact on wildlife and protected species.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

In this case the development plan comprises:

Adopted Christchurch and East Dorset Local Plan:

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

KS1: Presumption in favour of sustainable development

KS2: Settlement hierarchy

KS11: Transport and development

KS12: Parking provision

LN1: Size and types of new dwellings

LN2: Design, layout and density of new housing development

HE2: Design of new development

HE3: Landscape quality

ME1: Safeguarding biodiversity and geodiversity

ME2: Dorset heathlands

ME6: Flood management, mitigation and defence

Made Neighbourhood Plans

None relevant to the proposal

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Emerging neighbourhood plans

Corfe Mullen Neighbourhood Plan- In preparation – limited weight applied to decision making

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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’ This outlines the government’s objective in respect of land supply with subsection ‘Rural housing’ at paragraphs 82-84 reflecting the requirement for development in rural areas.

- Section 11 ‘Making effective use of land’

- Section 12 ‘Achieving well designed places’ This 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 131 – 141 advise that:

  The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

  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 National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

Supplementary Planning Document/Guidance

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Housing land supply

On the 26th September 2024, The Planning Inspectorate issued the Inspector’s report confirming the Council’s Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025 in accordance with paragraph 233 of the NPPF. An updated APS that reflects the Inspector’s findings is available on the Council’s website.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

11. 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. Public Sector Equalities Duty

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

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people

- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

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

The Parking and turning areas are relatively level so that people with disabilities or mobility impairments or pushing buggies have been accommodated when entering and leaving the site by car, and no disadvantages to persons with protected characteristics have been identified.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material Considerations None	
Non-Material Considerations CIL contribution – £24,450 Council Tax- £2652.95 (Band D)	

14. Planning Assessment

Current planning situation on the site

14.1 Planning permission for a detached two storey house on the application site was granted in 2023 at committee under application P/FUL/2023/04227. Permission was also granted for an alternative design of two storey house on this plot under application P/FUL/2023/04067. These permissions are extant and have established the principle of a two-storey house on the application site.

14.2 Permission has been granted for two alternative designs of additional dwelling at Plot B (northern part of the plot): a detached two storey house and a detached bungalow under applications P/FUL/2023/01483 & 04037 and these are extant.

Principle of development

14.3 The site lies within the urban area where the principle of development is acceptable under Core Strategy policy KS2. The proposal would replace a dwelling that has been partially demolished so would make a modest contribution to housing provision sought by policy KS4

Impact on the character and appearance of the area

14.4 The original dwelling at the site has been extensively damaged by fire and has been mostly demolished and sits behind the hedge on the boundary with Brook Lane.

14.5 Brook Lane is an un-made road that is also a bridleway and is a narrow lane lined with mature trees and hedges and characterised by detached dwellings of various designs which are irregularly spaced. Dwellings in surrounding roads are visible from Brook Lane and the range of different orientations is clear. Dwellings along these roads have an apparently tighter urban grain with smaller plot sizes.

14.6 The proposed dwelling would be set back from Brook Lane with a parking area at the front served by a vehicular access onto Brook Lane. A double car port with flat roof is to be sited adjacent to the site boundary with Kestor at the front of the site with flat roofed cycle store to the south of it. The existing vehicular access is to be closed off in front of the garage and a new hedge planted here with a new vehicular access on the front boundary.

14.7 The proposed dwelling would be set a similar distance from the lane as the part demolished former dwelling at the site and further forward than the extant two storey house & bungalow approved on Plot B.

14.1 The land on the application site is lower than the land immediately to the north on Plot B and the south boundary (with Kestor) of the proposed curtilage for the dwelling would be formed by the existing boundary fence. The site's north boundary with Plot B would be formed by 1.8m fencing between the highway and the rear of the dwelling, beyond which a section of 2m high fencing above a 0.8m high retaining wall is proposed, as approved by the extant permissions on this plot. The proposed boundary treatment is required by condition on the 2 extant permissions at plot B.

14.8 The proposed street scene shows an acceptable separation distance with Kestor (approx. 13m between two-storey sections). The proposed traditional design and materials of red brick walls, slate effect roof tiles and UPVC & timber window frames would be appropriate here and sit comfortably with the two-storey dwelling at Kestor. No adverse impact on the character of the area would result and the proposal complies with Core Strategy Policy HE2.

14.9 The relationship between the proposed dwelling and the extant dwellings is considered acceptable. A separation distance of approximately 2m would be maintained between the dwellings and the dwelling on plot B is set approximately 6m further info the plot on the approved plans with a stepped frontage mitigating the visual impact of the cumulative bulk.

Impact on the amenity of the occupants of neighbouring properties

Kestor

14.10 The proposed dwelling would be set back from the rear of the dwelling at Kestor and given the orientation of its windows in the front and rear elevations, there would be no harmful overlooking from these windows of the dwelling and garden at Kestor.

14.11 The side elevation of the proposed dwelling would face the southern boundary with Kestor and has first floor and ground floor windows. These are both shown to be obscure glazed (and would serve as secondary windows). A condition will secure the obscure glazing (no. 6) and no overlooking would result of Kestor.

14.12 The height and massing of the south elevation facing Kestor would not result in an adverse impact on the amenity of the occupants of Kestor. Kestor is to the south of the application site and there would be some loss of sunlight for this dwelling in the morning, but this would not be significantly greater than that from the former two storey dwelling and would not be harmful.

14.13 There is a stepped terrace on the south elevation and this would step down to the level of the window in the media room in the basement (lower ground floor) to provide light. The path next to this was evident in the recent extant permissions and use of this would not result in harmful overlooking of Kestor. Historically this area was garden to the original dwelling.

14.14 The flat roofed garage and cycle store at the front of the site would be modest in height (2.3m high approx.) and have no adverse impact on the occupants of Kestor given their siting.

153 Hillside Road

14.15 At approx. 39m, the separation distance between the first-floor rear facing windows in the proposed dwelling and the house at 153 Hillside Rd is sufficient to prevent any harmful overlooking of No.153. This distance would also prevent any adverse impact from the scale and massing of the proposed dwelling.

Extant dwelling at Plot B (2023/01483 – two storey house)

14.16 The approved plans for this scheme show a tall fence on the boundary between the application site and the site for the extant dwelling (Plot B). This would prevent the ground floor living room window in the extant dwelling overlooking the rear garden of the application site. The extant permission has a condition to require this fencing to be erected.

14.17 The proposed dwelling would be to the south of the extant dwelling on Plot B and there would be an impact on the extant dwelling from loss of sunlight from mid-morning onwards because of the proposal.

14.18 The outlook from the living room window in the south elevation of the extant dwelling is into the boundary fence and having the single storey rear projection of the proposed dwelling above this would lessen this outlook. However, as the single-storey projection has a modest depth and height with fully hipped roof, it is considered that as this living room also has French doors at the rear, the limited outlook from the south-facing window is not harmful enough to the living conditions of the occupants of the extant dwelling to warrant refusing the application on this basis. There are no first-floor windows in the south elevation of the extant dwelling.

Proposed single storey dwelling at Plot B (2023/04037)

14.19 The proposed single storey dwelling at Plot B has 2 ground floor windows serving a kitchen/dining room that would face the boundary fence and gable of the proposed dwelling. This room also has French doors in the rear elevation and as for the extant

house on Plot B, on balance it is considered that as this kitchen/dining room has French doors at the rear, the limited outlook from the south-facing windows is not harmful enough to the living conditions of the occupants of the extant dwelling to warrant refusing the application on this basis.

14.20 For the above reasons, the proposal is not found to result in significant harm to neighbouring amenity and is compatible with neighbouring properties in terms of impact on amenity, as required by Core Strategy Policy HE2.

Living conditions of occupants of the proposed dwelling

14.21 The outlook from principal rooms would receive adequate levels of natural light. The lower ground floor (basement) serving a media room would have two windows below ground facing light wells.

14.22 As the basement room is not a principal living room, it is not required to afford the same light and outlook requirements as principal rooms (such as bedrooms and living rooms) and the poor outlook it would have is not a reason to refuse the proposal. Additionally, the use as a media room would not require high levels of natural light.

14.23 The amount of outdoor amenity space provided is adequate and on this basis the proposal would allow acceptable living conditions for the occupants of the proposed dwelling.

Impact on road safety

14.24 The vehicle access would be away from the boundary with Kestor in a position that would not result in an adverse impact on highway safety. The site would provide off-street parking for 4 vehicles (to include garaging) and is in accordance with the guidance set out in the Council's document *Residential Car Parking Provision Local Guidance for Dorset*.

14.25 The Council's Highways Officer has no objection subject to a condition regarding provision of parking/turning & cycle parking to accord with the proposed site plan and this will be imposed.

14.26 It is noted that the Town Council has objected on highway safety grounds due to additional traffic generated by the proposal. However, the proposal is for a replacement dwelling (with no net increase in the number of dwellings). A refusal of the application on the grounds of harmful impacts to the highway could not be substantiated with no objection from the Highways team and because the traffic generated by the proposed dwelling would not be substantial.

Impact on Biodiversity

14.2 Condition 7 requires biodiversity enhancement to be installed, details of which shall first be submitted to and agreed in writing by the Council as the local planning authority. A similar condition was imposed on the recent permissions on the site.

14.27 It is anticipated that to meet the requirements of the statutory condition, Biodiversity Net Gain (BNG) credits will be secured as there is no scope to provide 10% BNG on the site.

Environmental implications

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

Planning Balance & Conclusion

14.29 The site is in a sustainable location and a replacement dwelling of similar scale and siting has previously been approved by the Eastern Area Planning Committee in January 2024.

14.30 The application will secure a replacement dwelling which is judged to accord with the Development Plan as a whole. There are no material considerations which would warrant refusal of permission.

15. 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:

   SS.02 R4 Proposed street scene
   SS.01 R3 Section - Proposed
   PBP.01 R4 Proposed site block plan
   SMH/LC/9/7/23 Location plan
   GAR.01.pe R1 Proposed garage - GF and roof plan with elevations
   PH.01.p R4 Proposed plans
   PH.01.e R4 Proposed elevations
   CS.01.pe R1 Proposed cycle store - GF and roof plan with elevations
   PH.01.s R4 Proposed sections

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

3. Before using any external facing and roofing materials in the construction of the development, details of their manufacturer, colour and type shall have been submitted to

and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved.

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

4. The dwelling hereby permitted must not be occupied unless and until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works have been carried out as approved. Thereafter, the soft landscaping shall and any plants that are lost, die or become diseased within 5 years of being planted shall be replaced in accordance with a scheme to be agreed in writing by the Local Planning Authority and then planted in accordance with the approved details within 1 month of the agreement.

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

5. The ridge level for the dwelling hereby approved shall accord with submitted drawings SS.02 R4 - Street Scene 2 & SS.01 R3 - Site Section D-D

   Reason: In the interests of maintaining an acceptable relationship with the adjacent buildings and the amenity of the occupants of the adjacent dwelling to the south at Kestor.

6. Both in the first instance and upon all subsequent occasions, the first and ground floor windows in the side (south) elevation shall be glazed with obscure glass to the maximum level of obscurity. These windows shall either be fixed closed or have a top opening fanlight with the sill of the opening part at least 1700mm above the floor level of the room they serve and the lower section fixed shut.

   Reason: To preserve the amenity and privacy of the occupants of the adjoining property at Kestor.

7. Prior to occupation of the dwelling hereby approved, biodiversity enhancement measures shall be installed at the site, details of which shall first be submitted to and approved by the Local Planning Authority. Such enhancement measures could include bee bricks, bat tiles, bat boxes, bird boxes and new planting. The approved measures shall be retained for the lifetime of the development.

   Reason: To enhance biodiversity at the site.

8. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number PBP.01 R4 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

9. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number BP.01 R4 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

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

    Reason: To protect the amenity of the occupants of the adjacent dwellings.

Informative Notes:

1. Biodiversity Net Gain

    The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

    (a) a Biodiversity Gain Plan has been submitted to the planning authority, and

    (b) the planning authority has approved the plan.

    The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Dorset Council.

    There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

    Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

    Read more about Biodiversity Net Gain and Biodiversity Gain Plans at https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain and https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

2. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

3. Informative: National Planning Policy Framework Statement

    In accordance with paragraph 39 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. OBJ

In this case:

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

4. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.

5. The proposed works are in the vicinity of the public right of way; bridleway E37/18, as recorded on the County Definitive Map and Statement of rights of way.

   Throughout the duration of the development the full width of the bridleway must remain open and available to the public, with no materials or vehicles stored on the route.

   Any damage to the surface of the path attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980.

   The free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on the bridleway then a Temporary Path Closure Order must be obtained. This can be applied for through this office, but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.

6. The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

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Eastern Area Planning Committee
23 July 2025

Application Number:	P/FUL/2025/00387
Webpage:	Planning application: P/FUL/2025/00387 - dorsetforyou.com
Site address:	47 Brook Lane Corfe Mullen BH21 3RD
Proposal:	Erect a replacement dwelling with detached garage and detached cycle store. Form new access. Demolish remaining existing.
Applicant name:	Mr N Briant
Case Officer:	James Brightman
Ward Member(s):	Cllr Florek and Cllr Sowry-House

1. Reason application is going to committee:

At the request of both the Chair & Vice-Chair of the Eastern Area Planning Committee

2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	**Conclusion**
Principle of development	Site in urban area – compliant with Core Strategy Policy KS2
Impact on the character and appearance of the area	Extant permission for a detached two-storey house on the application site. The proposed scale, design and external materials are considered acceptable and Core Strategy Policy HE2 is complied with as the proposal would be compatible with its surroundings
Impact on the amenity of the occupants of neighbouring properties	Proposal has been designed not to have a harmful impact on the amenity of the occupants of neighbouring properties
Living conditions of occupants of the proposed dwelling	The proposed dwelling would offer an acceptable living environment for its occupants
Impact on road safety	No road safety concerns & acceptable on-site parking provision would be provided
Impact on Biodiversity	Condition 8 requires details of biodiversity enhancement measures to be submitted and

Issue	Conclusion
	agreed and this would provide the appropriate biodiversity mitigation

4. Description of site

4.1 The application site subdivides the plot at 47 Brook Lane (also known as Smugglers Hyde), occupies most of the south part and is referred to as 'Plot A'. The northern part of the site, also in the applicant's control is 'Plot B' but this is not part of the current application. The dashed outline of a building footprint on Plot B is shown indicatively on the proposed block plan and appears to be that of the two-storey house approved under application P/FUL/2023/01483 or the bungalow approved under application P/FUL/2023/04037. Both these permissions remain extant.

4.2 The southern boundary of the application site is with the adjacent detached house at Kestor; the eastern (rear) is with Plot B and close to the rear boundary of the house at 155 Hillside Rd and the northern boundary is with Plot B.

4.3 There are two existing accesses serving Smugglers Hyde, located close to the northern and southern site boundaries. Ground levels fall away across the site from north to south and rise from west to east.

4.4 The site lies within the urban area of Corfe Mullen and close to the western edge of the settlement. Land to the west of the application site is agricultural and lies within the South East Dorset Green Belt and within an Area of Great Landscape Value.

4.5 Brook Lane is a Bridleway. The unmade section of Brook Lane in the vicinity of the site is characterised by detached dwellings, relatively well spaced apart, in a mixture of architectural styles.

4.6 Across the lane and opposite the western boundary of the site is a line of Oak trees covered by a Tree Preservation Order (TPO).

5. Description of development

5.1 It is proposed to sever the plot and construct a detached 2 bedroom, two storey dwelling facing Brook Lane with parking and a detached double garage and detached cycle store at the front.

5.2 The proposal will necessitate the complete demolition of the remaining dilapidated Smugglers Hyde dwelling (the central part of that dwelling has already been almost completely demolished).

5.3 The proposed dwelling would be an alternative to the extant planning permission for a much larger replacement property across the whole of the applicant's land and an alternative to other extant permissions for a replacement dwelling on the subdivided application site.

5.4 The dwelling would have red brick walls, slate effect roof tiles and UPVC and timber windows. It would be sited further from Brook Lane than the adjacent house at Kestor to the southwest and a similar distance from the lane than the remainder of the existing Smugglers Hyde dwelling.

5.5 The design is for a two-storey building with a shallow pitched and hipped gable roof. It will provide 129q metres of gross internal floor space. Unlike application P/FUL/2024/07588 which is also under consideration, only two floors of accommodation are proposed; there is no lower ground floor (underground).

5.6 The proposed ridge level would be 100mm higher than the ridge of Kestor and 600mm lower than the highest ridge of the former dwelling on the site and this relationship is shown in the submitted street scene (Drawing P599 SS.02).

5.7 The main outlook from the new dwelling would be onto Brook Lane and to the rear towards Hillside Rd. The south (side) elevation facing Kestor includes one ground floor and one first floor window which are shown to be obscure glazed as they serve as secondary windows. A single ground floor secondary window is to face Plot B in the north (side) elevation.

6. Background and relevant planning history

6.1 There is a section of two-storey building currently on the application site and this is all that remains of the original ‘Smuggler’s Hyde’ that burnt down around 2005. The remaining footprint of ‘Smugglers Hyde’ extends into Plot B (immediately to the north of the current application site).

6.2 47 Brook Lane (comprising Plots A & B) has an extensive planning history with 16 planning applications approved for new dwellings since 2005 (37 applications have been made for the site since 2005). The planning history identifies that there is a restrictive covenant on the land that prevents additional dwellings from being built, but this covenant is a private matter and not one that may be considered under the planning system.

6.3 Planning Permission 3/15/1189/FUL for a single dwelling remains extant and capable of implementation so has established the principle of a replacement dwelling on the site. Two similar applications to the current application which relate to part of the site were approved at the Eastern Area Planning Committee on the 10 January 2024 and at the same meeting an application for a detached dwelling on Plot B (northern plot) was also granted consent. These three applications (set out below) remain extant and capable of being built out. They therefore represent material considerations in the current planning assessment.

P/FUL/2023/04037 - Decision: GRA - Decision Date: 10/01/2024: Erect a new dwelling on the northern side of the land (Plot B)

P/FUL/2023/04067 - Decision: GRA - Decision Date: 10/01/2024: Sever the plot and erect a replacement dwelling to southern side of land (Plot A). As amended by plans rec'd 29/11/23 to omit personnel door on S elevation.

P/FUL/2023/04227 - Decision: GRA - Decision Date: 10/01/2024 Demolish the remaining section of the existing dwelling. Erection of replacement dwelling, double garage and cycle store (Plot A on south part of land). As amended by plans rec'd 29/11/23 to omit personnel door on southern elevation.

6.4 There is another application for consideration at this committee on the same site under reference P/FUL/2024/07588 for the same dwelling with a basement.

7. List of constraints

Within Corfe Mullen Settlement Boundary

Tree Preservation Order - TPO (EDDC/CM/104) - trees opposite the site along Brook Lane

Dorset Heathlands - 5km Heathland Buffer

Neighbourhood Area; Name: Corfe Mullen; Status Designated 03/03/2021

Public Rights of Way: Footpath E37/19; - Distance: 46.34; Bridleway E37/18; - Distance: 1.81 & Bridleway E37/17; - Distance: 30.78

Risk of Surface Water Flooding Extent 1 in 1000 – in Brook Lane and over small area of south boundary of site

Natural England Designation - RAMSAR: Poole Harbour (UK11054); - Distance: 4189.48 & RAMSAR: Dorset Heathlands (UK11021); - Distance: 1521.39

Wildlife Present: bat; - Distance: 1.26m

Site of Special Scientific Interest (SSSI) impact risk zone

Groundwater Source Protection Zone

Radon: Class: Less than 1%

8. Consultations

Consultees

1. Dorset Council - Natural Environment Team - comments

Condition advised for enhancement of site for bats or birds

2. Dorset Council - Building Control East Team - comments

It appears that the proposal does not satisfy the requirements of Building Regulations 2010 Approved Document B Volume 1 B5 Access & Facilities for the Fire Service.

Officer comment: There are extant permissions for a replacement dwelling on the site. Works to the private highway to implement any planning permission on this site may be required in order to comply with Building Regulations; this is a separate matter.

3. Dorset Council - Highways – No objection

- Parking is sufficient for the proposed dwelling
- Sufficient space for vehicles to manoeuvre within the site to be able to leave in a forward gear
- Although the part of Brook Lane that the application site is located on is narrow and unmade, only a limited number of vehicles would be using it, speeds would be low due to the nature of the road. It should be noted that it is not adopted highway maintainable at the public's expense.
- The traffic impact of one, two bed dwelling would be minimal, especially in the AM and PM peaks, and is not thought to be severe in terms of the National Planning Policy Framework (NPPF), paragraphs 115 and 116 - December 2024.
- It is reasonable to expect that all drivers would drive with due care and attention to the conditions that surround them, taking into consideration the most vulnerable road users.
- Proposal does not present a material harm to the transport network or to highway safety. Conditions advised to secure parking & turning and cycle parking with an informative relating to electric vehicle charging points:

4. Dorset Council - Trees (East & Purbeck) - comments

- A group Tree Preservation Order covers the trees situated to the north of the site on the other side of Brook Lane. It is important these trees are duly considered when large vehicles are accessing the site to ensure damage to the lower canopies is limited.
- There are no significant trees on site and a laurel hedge denotes part of the site boundary. The retention of a green frontage is desirable and would maintain the semi-rural character of this part of Brook Lane.
- The site is large enough to accommodate a robust planting scheme to incorporate new trees and hedging which will provide mitigation for the loss of removed vegetation.
- Conditions advised to require details of any access facilitation pruning works and a construction traffic management plan showing the vehicular routes and access points for high sided vehicles& to require details of soft landscaping and planting.

5. Corfe Mullen Town Council – Objection

- Access to site is dangerous as Brook Lane is a single track, un-adopted gravel lane which would not cope with additional traffic.
- Street scene misrepresentative, particularly in relation to the size of existing adjacent dwellings.

- Contrary to the following policies within the Christchurch and East Dorset Local Plan Part 1, Core Strategy (2014):

  • LN2 – Design, Layout and Density of New Housing Development: Severing of plot would conflict with the local character and distinctiveness of the area.

  • HE2 – Design of New Development: The size of the proposed dwelling is overlarge for the severed plot and is unsympathetic to the more spacious character and appearance of existing development in the unmade part of Brook Lane. This will result in a cramped development which is out of character with the immediate area.

  • HE3 – Landscape Quality: The proposed development does not protect and seek to enhance the landscape character of the area and could potentially have a harmful effect on tranquillity and not protect against intrusion from light pollution, noise and motion. The proposed development does not protect the natural elements such as trees, hedgerows, and wildlife corridors.

  • ME1 – Safeguarding Biodiversity and Geodiversity: The proposed development could potentially have a harmful effect on internationally designated sites, sites of special scientific interest, the Dorset landscape character area and regionally important geological and geomorphological sites. The application does not demonstrate mitigation measures necessary to avoid harm to protected species identified on the site.

  • KS9 - Transport Strategy and Prime Transport Corridors: The proposed development does not align with the Local Transport Plan (LTP3) requirements, which emphasise sustainable development in accessible locations along Prime Transport Corridors.

  • KS12 – Parking Provision: The proposed development does not provide adequate vehicle parking to meet the needs of the proposed dwelling.

Representations received

Total - objections	Total - No objections	Total - comments
1	**0**	**0**

Summary of comments of objections:

- Restrictive Covenant: The land is subject to a legally binding restrictive covenant that prohibits any further building except for an extension to the existing garage. Previous attempts to modify this covenant were refused by the Upper Tribunal (Lands Chamber) in 2020 and 2024.

- Repeated Applications: Since 2009, there have been 34 planning applications, which are seen as an attempt to wear down opposition. The current application is similar to previously rejected plans.
- Inappropriate Proposals: The new application is a reworked version of earlier proposals to split the plot and build two houses, which are considered inappropriate.

- Safety and Practicality: Concerns about safety, including inadequate fire service access, poor road safety, and inadequate parking provision. The removal of the basement in the latest application suggests previous plans were impractical.
- Impact on Local Environment: The proposed development would negatively impact the character and appearance of the area, cause loss of privacy, increase visual bulk, and contribute to light pollution.
- Overdevelopment: The proposal represents overdevelopment and does not consider the impact of future plans for the total plot.
- Environmental Concerns: The application incorrectly addresses biodiversity, ignoring the presence of a pond and protected species like bats in the area.
- Misrepresentation: The street scene drawing is unrealistic and misrepresents the impact on the Brook Lane street view.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

In this case the development plan comprises:

Adopted Christchurch and East Dorset Local Plan:

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

KS1 - Presumption in favour of sustainable development
KS2- Settlement hierarchy
KS11 - Transport and Development
KS12- Parking Provision
LN1- Size and Types of New Dwellings
LN2- Design, Layout and Density of New Housing Development
HE2 - Design of new development
HE3 - Landscape Quality
ME1- Safeguarding biodiversity and geodiversity
ME2- Dorset Heathlands
ME6- Flood Management, Mitigation and Defence

Made Neighbourhood Plans

None

Emerging local plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Emerging neighbourhood plans

Corfe Mullen Neighbourhood Plan- In preparation – limited weight applied to decision making

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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’ This outlines the government’s objective in respect of land supply with subsection ‘Rural housing’ at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 11 ‘Making effective use of land’

- Section 12 ‘Achieving well designed places’ This 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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 National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

National Planning Practice Guidance

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Housing land supply

On the 26th September 2024, The Planning Inspectorate issued the Inspector’s report confirming the Council’s Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025 in accordance with paragraph 233 of the NPPF. An updated APS that reflects the Inspector’s findings is available on the Council’s website.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

11. 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. Public Sector Equalities Duty

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

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

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

The parking and turning areas are relatively level so that people with disabilities or mobility impairments or pushing buggies have been accommodated when entering and leaving the site by car. No disadvantages to persons with protected characteristics have been identified

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material Considerations None	
Non-Material Considerations CIL contribution – £19,350 Council Tax- £2652.95 (Band D)	

14. Planning Assessment

Current planning situation on the site

14.1 Planning permission for a detached two storey house on the application site was granted in 2023 at committee under application P/FUL/2023/04227. Permission was also granted for an alternative design of two storey house on this plot under application P/FUL/2023/04067. These permissions are extant and have established the principle of a two-storey house on the application site.

14.2 Permission has been granted for two alternative designs of additional dwelling at Plot B (northern part of the plot): a detached two storey house and a detached bungalow under applications P/FUL/2023/01483 & 04037 and these are extant.

Principle of development

14.3 The site lies within the urban area where the principle of additional development is acceptable under Core Strategy policy KS2. The proposal would replace a dwelling that has been partially demolished so would make a modest contribution to housing provision sought by policy KS4

Impact on the character and appearance of the area

14.4 The original dwelling at the site has been extensively damaged by fire and has been mostly demolished and sits behind the hedge on the boundary with Brook Lane.

14.5 Brook Lane is an un-made road that is also a bridleway and is a narrow lane lined with mature trees and hedges and characterised by detached dwellings of various designs which are irregularly spaced. Dwellings in surrounding roads are visible from Brook Lane and the range of different orientations is clear. Dwellings along these roads have an apparently tighter urban grain with smaller plot sizes.

14.6 The proposed dwelling would be set back from Brook Lane with a parking area at the front served by a vehicular access onto Brook Lane. A double car port with flat roof is to be sited adjacent to the site boundary with Kestor at the front of the site with flat roofed cycle store to the south of it. The existing vehicular access is to be closed off in front of the garage and a new hedge planted here with a new vehicular access on the front boundary.

14.7 The proposed dwelling would be set a similar distance from the lane than the part demolished former dwelling at the site and further forward then the extant two storey house & bungalow approved on Plot B.

14.8 The land on the application site is lower than the land immediately to the north on Plot B and the south boundary (with Kestor) of the proposed curtilage for the dwelling would be formed by the existing boundary fence. The site's north boundary with Plot B would be formed by 1.8m fencing between the highway and the rear of the dwelling, beyond which a section of 2m high fencing above a 0.8m high retaining wall is proposed, as approved by the extant permissions on this plot. The proposed boundary treatment is required by condition on the 2 extant permissions at plot B.

14.9 The proposed street scene shows an acceptable separation distance with Kestor (approx. 13m between two-storey sections). The proposed traditional design and materials of red brick walls, slate effect roof tiles and UPVC & timber window frames would be appropriate here and sit comfortably with the two-storey dwelling at Kestor. No adverse impact on the character of the area would result and the proposal complies with Core Strategy Policy HE2.

14.10 The relationship between the proposed dwelling and the extant dwellings is considered acceptable within the streetscene. A separation distance of approximately 2m would be

maintained between the dwellings and the dwelling on plot B is set approximately 6m further into the plot on the approved plans with a stepped frontage mitigating the visual impact of the cumulative bulk.

Impact on the amenity of the occupants of neighbouring properties

Kestor

14.11 The proposed dwelling would be set back from the rear of the dwelling at Kestor and given the orientation of its windows in the front and rear elevations, there would be no harmful overlooking from these windows of the dwelling and garden at Kestor.

14.12 The side elevation of the proposed dwelling would face the southern boundary with Kestor and has first floor and ground floor windows. These are both shown to be obscure glazed (and would serve as secondary windows). A condition will secure the obscure glazing (no.6) and no overlooking would result of Kestor.

14.13 The height and massing of the south elevation facing Kestor would not result in an adverse impact on the amenity of the occupants of Kestor. Kestor is to the south of the application site and there would be some loss of sunlight for this dwelling in the morning, but this would not be significantly greater than that from the former two storey dwelling and would not be harmful.

14.14 The flat roofed garage and cycle store at the front of the site would be modest in height (2.3m high approx.) and have no adverse impact on the occupants of Kestor given their siting.

153 Hillside Road

14.15 At approx. 39m, the separation distance between the first-floor rear facing windows in the proposed dwelling and the house at 153 Hillside Rd is sufficient to prevent any harmful overlooking of No.153. This distance would also prevent any adverse impact from the scale and massing of the proposed dwelling.

Extant dwelling at Plot B (2023/01483 – two storey house)

14.16 The approved plans for this scheme show a tall fence on the boundary between the application site and the site for the extant dwelling (Plot B). This would prevent the ground floor living room window in the extant dwelling overlooking the rear garden of the application site. The extant permission has a condition to require this fencing to be erected.

14.17 The proposed dwelling would be to the south of the extant dwelling on Plot B and there would be an impact on the extant dwelling from loss of sunlight from mid-morning onwards because of the proposal.

14.18 The outlook from the living room window in the south elevation of the extant dwelling is into the boundary fence and having the single storey rear projection of the proposed dwelling above this would lessen this outlook. However, as the single-storey projection has a modest depth and height with fully hipped roof, it is considered that as this living room also has French doors at the rear, the limited outlook from the south-facing window is not harmful enough to the living conditions of the occupants of the extant dwelling to warrant refusing the application on this basis. There are no first-floor windows in the south elevation of the extant dwelling.

Proposed single storey dwelling at Plot B (2023/04037)

14.19 The proposed single storey dwelling at Plot B has 2 ground floor windows serving a kitchen/dining room that would face the boundary fence and gable of the proposed dwelling. This room also has French doors in the rear elevation and as for the extant house on Plot B, on balance it is considered that as this kitchen/dining room has French doors at the rear, the limited outlook from the south-facing windows is not harmful enough to the living conditions of the occupants of the extant dwelling to warrant refusing the application on this basis.

14.20 For the above reasons, the proposal is not found to result in significant harm to neighbouring amenity and is compatible with neighbouring properties in terms of impact on amenity, as required by Core Strategy Policy HE2.

Living conditions of occupants of the proposed dwelling

14.21 The outlook from principal rooms would receive adequate levels of natural light.

14.22 The amount of outdoor amenity space provided is adequate and on this basis the proposal would allow acceptable living conditions for the occupants of the proposed dwelling.

Impact on road safety

14.23 The vehicle access would be away from the boundary with Kestor and this is considered acceptable and would not result in an adverse impact on highway safety. The site would provide off-street parking for 4 vehicles (to include garaging) and is in accordance with the guidance set out in the Council's document *Residential Car Parking Provision Local Guidance for Dorset*.

14.24 The Council's Highways Officer has no objection subject to a condition regarding provision of parking/turning & cycle parking to accord with the proposed site plan and this will be imposed.

14.25 It is noted that the Town Council has objected on highway safety grounds due to additional traffic generated by the proposal. However, the proposal is for a replacement dwelling (with no net increase in the number of dwellings) and also it is considered that a refusal of the application on the grounds of harmful impacts to the highway could not be substantiated with no objection from the Highways team and because the traffic generated by the proposed dwelling would not be substantial.

Impact on Biodiversity

14.26 Condition 7 requires biodiversity enhancement to be installed, details of which shall first be submitted to and agreed in writing by the Council as the local planning authority. A similar condition was imposed on the recent permissions on the site.

14.27 It is anticipated that to meet the requirements of the statutory condition, Biodiversity Net Gain (BNG) credits will be secured as there is no scope to provide 10% BNG on the site.

Environmental implications

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

Planning Balance & Conclusion

14.29 The site is in a sustainable location and a replacement dwelling of similar scale and siting has previously been approved by the Eastern Area Planning Committee in January 2024.

14.30 The application will secure a replacement dwelling which is judged to accord with the Development Plan as a whole. There are no material considerations which would warrant refusal of permission.

15 **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:

SS.02 R4 Proposed street scene
SS.01 R3 Section - Proposed
PBP.02 R4 Proposed site block plan
SMH/LC/9/7/23 Location plan
GAR.01.pe R1 Proposed garage - GF and roof plan with elevations
PH.02.p R4 Proposed floor plans
PH.02.e R4 Proposed elevations

CS.02.pe R1 Proposed cycle store - GF and roof plan with elevations
PH.02.s R4 Proposed sections

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

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

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

4. The dwelling hereby permitted must not be occupied unless and until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works have been carried out as approved. Thereafter, the soft landscaping shall and any plants that are lost, die or become diseased within 5 years of being planted shall be replaced in accordance with a scheme to be agreed in writing by the Local Planning Authority and then planted in accordance with the approved details within 1 month of the agreement.

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

5. The ridge level for the dwelling hereby approved shall accord with submitted drawing SS.02 R4 - Street Scene 2

   Reason: In the interests of maintaining an acceptable relationship with the adjacent buildings and the amenity of the occupants of the adjacent dwelling to the south at Kestor.

6. Both in the first instance and upon all subsequent occasions, the first and ground floor windows in the side (south) elevation shall be glazed with obscure glass to the maximum level of obscurity. These windows shall either be fixed closed or have a top opening fanlight with the sill of the opening part at least 1700mm above the floor level of the room they serve and the lower section fixed shut.

   Reason: To preserve the amenity and privacy of the occupants of the adjoining property at Kestor.

7. Prior to occupation of the dwelling hereby approved, biodiversity enhancement measures shall be installed at the site, details of which shall first be submitted to and approved by the Local Planning Authority. Such enhancement measures could include bee bricks, bat tiles,

bat boxes, bird boxes and new planting. The approved measures shall be retained for the lifetime of the development.

Reason: To enhance biodiversity at the site.

8. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number PBP.02 R4 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

9. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number PBP.02 R4 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

   Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) of the dwellinghouse hereby approved nor additional windows in the south elevation, permitted by Class A and Class B of Schedule 2 Part 1 of the 2015 Order, shall be erected, constructed or installed

    Reason: To protect the amenity of the occupants of the adjacent dwellings.

Informative Notes:

1. Biodiversity Net Gain

   The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

   (a) a Biodiversity Gain Plan has been submitted to the planning authority, and

   (b) the planning authority has approved the plan.

   The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Dorset Council.

   There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

   Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Read more about Biodiversity Net Gain and Biodiversity Gain Plans at https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain and https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

2. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

3. Informative: National Planning Policy Framework Statement

   In accordance with paragraph 39 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 applicants/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.

4. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.

5. The proposed works are in the vicinity of the public right of way; bridleway E37/18, as recorded on the County Definitive Map and Statement of rights of way.

   Throughout the duration of the development the full width of the bridleway must remain open and available to the public, with no materials or vehicles stored on the route.

   Any damage to the surface of the path attributable to the development must be repaired to Dorset Council’s specification, in accordance with Section 59 of the Highways Act 1980.

   The free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on the bridleway then a Temporary Path Closure Order must be obtained. This can be applied for through this office, but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.

6. The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

Application Number:	P/HOU/2025/02317
Webpage:	Planning application: P/HOU/2025/02317 - dorsetforyou.com
Site address:	Blackhill Cottage Shitterton Road Bere Regis Wareham BH20 7HU
Proposal:	Retained use of the outbuilding and proposed changes to facing materials and ridge height to mitigate reasons for refusal of application P/COU/2021/04183 (Change of Use of Land from Agricultural to an ancillary garden use)
Applicant name:	Mr John Whiteside
Case Officer:	Emma Macdonald
Ward Member(s):	Cllr Beddow and Cllr Baker

1. Reason application is going to committee:

The application comes before committee at the request of the Eastern Area Planning Committee Chairman.

2. Summary of recommendation:

The committee GRANT subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable – subject to consideration of all material considerations
Impact on the character of the area and setting of the Conservation Area and listed buildings	Acceptable – the alterations and planting will significantly reduce the scale and mass of the building resulting in a scheme that should not result in demonstrable harm to the intrinsic character and beauty of the countryside or settling of the Bere Regis Conservation Area.
Impact on the living conditions of neighbouring properties	Acceptable – the location, distance from dwellings and the proposed use should not give rise to a detrimental impact on the amenity of occupiers of neighbouring dwellings
Access	Acceptable - given the scale of the proposal

4. Description of site

4.1 The application site comprises a broadly level rectangular parcel of land measuring 0.2ha that lies immediately to the south of Blackhill Cottage, on the western edge of Bere Regis in the hamlet of Shitterton.

4.2 The short axis of the site extends away from Blackhill Cottage with the long axis running in a south easterly direction. The eastern section of the site adjoins the back gardens of residential properties along Shitterton Road, the southern edge adjoins rural fields and areas of newly planted woodland including public rights of way.

4.3 The parcel of land is mainly laid to grass land with some shrubs and new tree planting. The outbuilding, subject of this application, and gravelled parking area are located in the southeastern corner of the site. A close boarded fence runs around the perimeter of the site.

4.4 The existing metal clad outbuilding measures approximately 8m long by 6m deep. The pitched roof has a ridge height of approximately 4m high. There is a gravel area in front leading to access gates which open onto a narrow lane which leads down to the main road running through Shitterton.

4.3 Blackhill Cottage is located within the Bere Regis Conservation Area. However, the application site sits to the south, outside of the Conservation area and outside the Bere Regis Settlement boundary. The site is also located to the southwest of listed cottage, 12 Shitterton Road. Number 10 Shitterton Road is also listed.

4.4 Beyond the application site, the land opens out to a rural landscape, including Marys Wood and other woodland, criss-crossed by public rights of way.

4.4 Planning permission P/COU/2021/04183 was approved, in March 2022 for the change of use of this land from agricultural to an ancillary garden use, but subject to a condition that removed permitted development rights for garages, sheds or other outbuildings or any hard surfacing.

5. Description of development

5.1 Planning permission is sought to retain the existing outbuilding, with changes to the existing facing materials and ridge height. Natural slate roof tiles are proposed for the roof and the walls are proposed to be cladding with natural timber. The proposed scheme does not amend the footprint of the existing outbuilding.

6. Background and relevant planning history

Permission Reference	Proposal	Decision & date
6/2020/0534	Demolish existing bungalow and erect a new dwelling	Grant - 06/10/2021
P/COU/2021/04183	Change of Use of Land from Agricultural to an	Grant - 01/03/2022 Condition 3 *Notwithstanding the provisions of the Town and Country Planning (General Permitted*

	ancillary garden use.	*Development) (England) Order 2015 (or any Order revoking and reenacting that Order) (with or without modification) no garages, sheds or other outbuildings permitted by Class E of Schedule 2 Part 1 shall be erected or constructed nor shall any hard surfacing permitted by Class F be laid.* *Reason: To protect amenity and the character of the area and the setting of the Conservation Area.*
P/HOU/2024/04550	Retain replacement shed store. Retrospective application for the replacement outbuilding. The new outbuilding is 8m x 6m and less than 4m tall.	Refuse - 10/10/2024 Reason for refusal: *The shed/store does not positively integrate with its surroundings due to its substantial scale, mass and height, located outside of the settlement boundary. The shed/store is considered to have an incongruous, unduly prominent and visually intrusive built form in this rural setting, resulting in harm to the intrinsic character and beauty of the countryside and settling of the Bere Regis Conservation Area. As such the proposal is contrary to paragraph 180 b) and paragraphs 201, 203, 205 and 206 of the NPPF and Policies E1 'Landscape', E2 'Historic Environment' and E12 'Design' and of the Purbeck Local Plan.*
P/PAP/2024/00755	Facing materials for replacement outbuilding to mitigate reasons for refusal	Response issued – 14/01/25 *Officers were unable to encourage an application based upon the submitted proposal which failed to accord with planning policy requirements. Significant amendments would be required to make the development acceptable.*
P/HOU/2024/04550	Retain replacement shed store. Retrospective application for the replacement outbuilding. The new outbuilding is 8m x 6m and less than 4m tall.	Appeal dismissed - 01/05/2025 The Inspector concluded as follows: *The development does not accord with the development plan and there are no other material considerations to override this finding.*
P/VOC/2025/02670	Change of use of land from agricultural to ancillary garden	Refused – 30/06/2025

	use (without compliance with condition 3 of planning approval P/COU/2021/04183 which is unduly restrictive and removes all permitted development rights)	The use of the land as residential garden with relief from condition 3 of P/COU/2021/04183 would be likely to result in additional incidental residential development and associated harm to the rural character of the area and setting of the Bere Regis Conservation Area so would be contrary to Policies E1 'Landscape', E2 'Historic Environment' and Policy E12 'Design' of the Purbeck Local Plan.

7. List of constraints

Poole Harbour Nutrient Catchment Area - Natural England Designation

Bat Roosts SY89/BR 0059 - Distance: 9.96

Dorset Heathlands - 5km Heathland Buffer

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021) - Distance: 700.83

Special Area of Conservation (SAC) (5km buffer): Dorset Heaths (UK0019857) - Distance: 451.76, Site of Special Scientific Interest (SSSI) impact risk zone

Right of Way: Footpath SE6/34 and Footpath SE6/55;

Ancient Woodland: Sitterton Wood; Ancient Replanted Woodland - Distance: 416.07

Wessex Water Risk of foul sewer inundation 2023 Medium Risk of Foul Sewer Inundation

Wessex Water Treatment Works Catchment

Groundwater – Susceptibility to flooding

Risk of Surface Water Flooding Extent 1 in 1000 and 1 in 100-year event plus 40% allowance

8. Consultations

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

Consultees

1. Dorset Council – Conservation Officer

The preferred solution would be to locate the building closer to Blackhill Cottage in order that it is viewed within the context of the existing dwellings rather than as a separate element within this more open rural context, or to reduce the footprint in order to achieve a much more modest traditionally designed structure.

With regard to the current proposals the lowering of the roof would reduce the visual impact of the structure on the surrounding conservation area, as would the use of natural slate and (eventually) the proposed planting screen. This being the case, and based on the Inspector's comments in

connection with the appeal decision for application reference: P/HOU/2024/04550, the current scheme would have a limited impact on the character and appearance of the conservation area.

2. Bere Regis Parish Council

Object - The proposed development is outside the settlement boundary, conflicts with the Conservation Area and even with the change to the materials will be visible intrusive in the rural setting. Planning for this structure has already been refused once as it contravenes the removal of the permitted development rights. The Planning Officer advises that any replacement will be in breach of the original grant of garden permission and the Parish Council agrees with that advice.

3. Ward Members

No comments received

Representations received

Total - objections	Total - No objections	Total - comments
2	**0**	2

Summary of comments of objection:

- Building erected without planning permission
- New structure replaces a small 2 bay pony shelter.
- New structure not in the same location as the original structure
- Concern regarding use of the purpose of structure and vehicles to be housed.
- New area of gravel not needed for a garden building
- Should not need access from the bridal path
- New structure does not provide for the same original function – concern that it will be used for business purposes.
- Visual impact

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

In this case the development plan comprises:

Local Plan Adopted Purbeck Local Plan:

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

E1: Landscape

E2: Historic environment

E4: Assessing flood risk

E10: Biodiversity and geodiversity

E12: Design

H2: The housing land supply

I2: Improving accessibility and transport

Made Neighbourhood Plans

Bere Regis Neighbourhood Plan 2019-2034 (made June 2019)

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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 6 ‘Building a strong, competitive economy’, paragraphs 88 and 89 ‘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’ This 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 131 – 141 advise that:

  The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

  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 16 ‘Conserving and Enhancing the Historic Environment’- Paragraph 212 says that 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. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

National Planning Practice Guidance

District Design Guide SPD

Managing and using traditional building details in Purbeck

Bere Regis Conservation Area Appraisal

11. 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. 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.

No harm has been identified to persons with protected characteristics once construction has been completed. During construction those neighbours with limited ability to leave their homes will be subject to some noise and disturbance, however this will be limited given the scale of the development proposed.

13. Public Benefits

No public benefits have been identified

14. Planning Assessment

Principle of development

14.1 Blackhill Cottage lies within the settlement boundary of Bere Regis. However, the application site is located outside of the settlement boundary.

14.2 Planning permission P/COU/2021/04183 was approved in March 2022 for the change of use of the land subject of this application from agricultural to an ancillary garden use. Permission was granted, subject to conditions. Planning condition 3 related to the removal of permitted development rights as follows,

Condition 3
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order) (with or without modification) no garages, sheds or other outbuildings permitted by Class E of Schedule 2 Part 1 shall be erected or constructed nor shall any hard surfacing permitted by Class F be laid.
Reason: To protect amenity and the character of the area and the setting of the Conservation Area.

14.3 Officers acknowledged that the change of use from agriculture to ancillary garden use could result in the land becoming more domesticated with additional residential paraphernalia. However, it was concluded that given the screening provided by the existing fence and hedge line and the nature of the land use to the north west, it was not considered that in itself the change of use to ancillary garden use would have any significant adverse visual impact on the environment or the character of the area which already reads as garden when viewed from the public right of way.

14.4 To ensure that uncharacteristic urban development did not extend into the open countryside in this area which could negatively impact on the visual amenity and rural character of the area and setting of the Conservation Area, a condition removing permitted development rights for outbuildings and hard surfaces under Schedule 2, Part 1, Classes E and F of the Town and country Planning (General Permitted Development) (England) Order 2015 was considered necessary and reasonable. This was intended to ensure that, any proposals for built development including outbuildings would be subject to a planning application, at which point consideration would be given to the impact of any proposals on the countryside and consultation would be undertaken with the parish council and other interested parties.

14.5 The supporting statement explains that the building is proposed *'to be used for the storage of maintenance vehicles and apparatus to adequately maintain the land and as an ancillary outbuilding to the new replacement dwelling at Blackhill Cottage'*. The 48m^2 footprint of the

building is large but not excessive in the context of the 0.23ha of residential land to be maintained.

14.6 In principle the erection of an outbuilding within the garden of the existing dwelling for purposes of storage use ancillary to the dwelling is acceptable, subject to appropriate design and other material considerations.

14.7 The current shed/store on the site was erected on the land without the benefit of planning permission contrary to condition 3. Retrospective planning permission (P/HOU/2024/04550) was sought for the retention of the outbuilding.

14.8 Planning permission was refused for the retention of the shed, and an appeal was dismissed.

14.9 Following the refusal of retrospective planning permission, the applicant sought pre-application advice (P/PAP/2024/00755) regarding facing materials for the outbuilding in order to mitigate the harm and overcome the reasons for refusal. Alterations comprised a traditional slate 'effect' roof with natural timber cladding to the sides.

14.10 Officers were unable to encourage the use of 'slate effect' tiles which would not be an appropriate material in this sensitive location. Even if traditional slate was used, officers remained concerned about the substantial scale, mass and height of the outbuilding in this location, resulting in visual intrusion into the countryside, affecting the setting of the Bere Regis Conservation Area. It was recommended that any structure was significantly reduced in scale and height so that the fencing can provide effective screening.

14.11 Overall, the principle of an outbuilding within the garden of the existing dwelling for purposes of storage use ancillary to the dwelling is likely to be considered acceptable, this would be subject to full consideration of all material considerations, in particular the design, and scale of the proposal and impact of the proposal on the character of the area and consideration.

<u>Impact on the character of the area and setting of the Conservation Area and listed buildings</u>

14.12 The application site sits to the south of the Bere Regis Conservation area. Listed cottage, 12 Shitterton Road and 10 Shitterton Road are Grade II listed but sit to the northeast of the application site, separated by long gardens with mature trees and vegetation.

14.13 Policy E12 'Design' of the Purbeck Local Plan requires proposals to positively integrate with its surroundings. Policy E2 'Historic Environment' requires great weight to be given to protecting and where possible enhancing heritage assets and their setting.

14.14 Planning permission has previously been refused (P/HOU/2024/04550) for the existing metal building which is 8m by 6m with a pitched roof 4m high. An appeal against refusal was dismissed. The Inspector noted that there are both short and longer views of the building from the south and south east, including from the several public rights of way and that the outbuilding and in particular its roof form and gable end is a very dominant and visually intrusive structure. He identified that the impact of the building is exacerbated by the choice of materials which are harsh and visually discordant and stand out in this rural setting. The outbuilding, given its scale and particularly its height was considered by the Inspector to

materially harm the intrinsic character and beauty of the countryside, notwithstanding fence screening. The Inspector also considered that the development harmed the setting of the Bere Regis Conservation Area, through its height and visual over prominence, and therefore detracts from the generally open buffer between the buildings within the village and its rural hinterland.

14.15 The current scheme proposes alterations to the existing unlawful outbuilding. The ridge height of the outbuilding is reduced from approximately 4m (as existing) to approximately 2.7m. It is proposed to use natural state for tiles for the roof and natural timber cladding for the walls.

14.16 The existing use of materials results in a shiny finish which increases the buildings prominence in its environment. The proposed use of natural state and natural timber cladding, that will grey overtime, are considered more traditional in nature and more appropriate in this context.

14.17 Although the proposed outbuilding will still be visible from the surrounding countryside, the reduced ridge height, which slopes into the site will reduce its scale, mass and impact on the countryside and views from the public footpaths to the south and east. This coupled with the use of more sensitive, natural, traditional materials will further reduce the impact of the outbuilding. In addition, officers are aware that the applicant has already undertaken planting along the edge of the site. In time this will further soften the impact of the structure from views. It is considered reasonable to condition the maintenance of the planting in order to ensure that it provides screening to the site, minimising views of the outbuilding, particularly in the future as the planting matures. Amended plans were provided to show the location of the planting to be maintained.

14.18 Concern has been raised by neighbours that the building will be used for business purposes. Should permission be granted, given the position of the building some distance from the dwelling, it is reasonable to include a condition to ensure that the outbuilding is used only for purposes ancillary to Blackhill Cottage. An informative is also proposed to remind the applicant that any use of the outbuilding for uses, other than ancillary to the dwelling, will require express planning permission.

14.19 The proposal includes the retention of a gravel surface that has been put down for vehicle parking. In itself, officers do not consider that the gravel will have an impact on the character of the area or countryside as it will be hidden from view by the existing fence and planting. The parking of vehicles has the potential for a harmful visual impact, detracting from the rural character of the area. However, given that the use of the land and the outbuilding will be for purposes ancillary to the existing dwelling, vehicle numbers are unlikely to be significant and therefore visual impacts should be acceptable. The applicant will also be reminded that no further hard surfacing/parking should be created within the site without an application for planning permission.

14.20 Dorset Council's Conservation Officer considers that the preferred solution would be to locate the building closer to Blackhill Cottage in order that it is viewed within the context of the existing dwellings rather than as a separate element within this more open rural context, or to

reduce the footprint in order to achieve a much more modest traditionally designed structure. However, with regard to the current proposals, the Conservation Officer considers that lowering of the roof would reduce the visual impact of the structure on the surrounding conservation area, as would the use of natural slate and (eventually) the proposed planting screen. This being the case, and based on the Inspector's comments in connection with the appeal decision for application reference: P/HOU/2024/04550, the current scheme would have a limited impact on the character and appearance of the conservation area.

14.21 Overall, officers consider that the alterations proposed to the outbuilding and planting will significantly reduce the scale and mass of the building and be significantly less prominent and visually intrusive than the existing building. Given that this application is retrospective it is recommended to condition that the proposed works are undertaken within 6 months to ensure works are undertaken in a timely manner to reduce the impacts of the existing structure on the character of the area.

14.22 As a result, the proposal is considered acceptable and should not result in demonstrable harm to the intrinsic character and beauty of the countryside or settling of the Bere Regis Conservation Area. As such the proposal is considered to be in accordance with Policies E1 'Landscape', E2 'Historic Environment' and E12 'Design' and of the Purbeck Local Plan.

Impact on the living conditions of neighbouring properties

14.23 Local Plan policy E12 requires that development should avoid and mitigate any harmful impact on local amenity.

14.24 Given the location of the proposed outbuilding, separation distance from dwellings and proposed use of the building for storage ancillary to the residential use of the land, officers do not consider the development will have a detrimental impact on the amenity of occupiers of neighbouring dwellings.

Access

14.25 Footpath SE6/24 runs along the eastern boundary of the site and along a track into the village of Shitterton.

14.26 Concerns have been raised by neighbours regarding the use of this track by vehicles accessing the application site. The supporting statement explains that there are no proposals to alter or change the existing vehicular movements access arrangements for the existing gate opening.

14.27 Given that there are already other dwellings using the access track and that the proposed outbuilding is for use ancillary to the dwelling only, officers consider that there will only be a modest increase in trip movements which is considered acceptable given the scale of the proposal.

Other considerations

14.28 The Parish Council in their response stated that
'…Planning for this structure has already been refused once as it contravenes the removal of the permitted development rights. The Planning Officer advises that any replacement will be

in breach of the original grant of garden permission and the Parish Council agrees with that advice.'

14.29 The removal of permitted development rights does not mean that development cannot take place, only that development will require express planning permission allowing the Council to fully consider the impacts of the proposal.

15. Environmental implications

The development will be associated with some greenhouse gas emission but given the scale of the works this will be limited.

16. Summary of issues and the planning balance

Overall, officers consider that the amendments proposed to the existing outbuilding and planting will significantly reduce the scale and mass of the building and be significantly less prominent and visually intrusive than the existing building. As a result, the proposal is considered acceptable and should not result in demonstrable harm to the intrinsic character and beauty of the countryside or settling of the Bere Regis Conservation Area. As such the proposal is to be in accordance with Policies E1 'Landscape', E2 'Historic Environment' and E12 'Design' and of the Purbeck Local Plan. There are no material considerations that would warrant refusal of this planning application.

17. Recommendation

Grant, subject to the following conditions and informative notes

1.The alterations to which this permission relates must be completed with 6 months of 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:
10790-301 E LOCATION BLOCK PLAN
10790-304 C EXISTING AND PROPOSED PLANS
10790-302 C EXISTING AND PROPOSED ELEVATIONS
10790-303 SHED STORE ELEVATIONS WITH PLANTING

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

3.The existing planting shown on drawing 10790-304 must be maintained and any trees or plants which, within a period of 5 years from the date of this permission, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

4. The outbuilding permitted shall not be occupied or used at any time other than for purposes ancillary to the residential dwelling known currently as Blackhill Cottage.

   Reason: The development is in an area where a separate dwelling/business premises would be contrary to the adopted local plan.

Informative Notes:

1. The applicant is reminded that the use of the outbuilding should be ancillary to Blackhill Cottage and should not be used to undertake any business operations.
2. The applicant is reminded that no further hard standing/gravelled parking areas should be created on the site without the seeking planning permission for these changes.
3. National Planning Policy Framework Statement

   In accordance with paragraph 39 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

   In this case:

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

   - The applicant was provided with pre-application advice.

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Eastern Area Planning Committee

23rd July 2025

Application Number:	P/HOU/2025/01935
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Little Haythorne Horton Road Church Hill Woodlands to Horton Lane Woodlands BH21 7JG
Proposal:	Retain garage
Applicant name:	Mr J Hall
Case Officer:	Victoria Chevis
Ward Member(s):	Cllr Tooke

1. The application has been referred to committee by the Planning Committee Chairman in accordance with the Council's scheme of delegation.

2. Summary of recommendation

A: Grant planning permission subject to conditions and Legal agreement.

B: Refuse due to harm to the openness of the Green Belt if the S106 agreement is not completed within the timeframe.

3. Reason for the recommendation

- Para 16 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.
- The fallback position is considered to represent a very special circumstance that outweighs the potential harm to the Green Belt from the inappropriateness of the proposed development (subject to the restrictive condition and completion of a s106 agreement).
- Notwithstanding the harm already caused, the removal of the garage would cause greater harm to the ancient woodland which would be contrary to policy HE3 of the local plan.

4. Key planning issues

Issue	Conclusion
Principle of development	Acceptable development within Woodlands settlement boundary
Scale, design, impact on character and appearance	Acceptable
Impact on Greenbelt	Acceptable subject to conditions and Legal agreement
Impact on trees	Acceptable

5. Description of site

The application site is known as Little Haythorne on Horton Road in the rural location of Woodlands. The planning unit is the residential curtilage of the dwelling on which stand a number of outbuildings, including holiday accommodation, within a curtilage of approximately 0.4ha. The wider land holding is approx. 1.8ha. It is located within the Greenbelt and borders an ancient woodland on the southwest and northwest boundary.

6. Description of development

The proposal is to retain a garage which has been built to the northwest of the site between the boundary and another outbuilding.

7. Background and relevant planning history

03/87/1658/FUL - Decision: GRA - Decision Date: 15/02/1988
Retain Caravan
03/87/1383/OUT Appeal Allowed Decision Date: 11/07/1988
Outline: Agricultural Dwelling
03/88/1398/REM - Decision: REF - Decision Date: 09/11/1988
Agricultural Dwelling
03/88/1732/REM - Decision: GRA - Decision Date: 25/04/1989
Agricultural Dwelling As Amended By Plans Rec. 9 March 89
03/93/0301/FUL - Decision: REF - Decision Date: 09/06/1993
Removal Of Agricultural Occupancy Condition,
03/93/1139/FUL - Decision: GRA - Decision Date: 24/02/1995
Remove Agricultural Occupancy Condition
3/06/1243/FUL - Decision: GRA - Decision Date: 20/10/2006
Single Storey Extension.
3/06/1618/COU - Decision: GRA - Decision Date: 25/01/2007
Convert a building into a holiday home (as amended by plans rec'd 15.01.2007 and 24.01.2007).
3/10/0113/CLP - Decision: REF - Decision Date: 26/02/2010

Erect double garage

3/10/0180/HOU - Decision: GRA - Decision Date: 23/04/2010

Erect double garage

3/10/0343/HOU - Decision: GRA - Decision Date: 15/06/2010

Construct New Single Storey Orangery

3/16/1395/CLE - Decision: LAW - Decision Date: 06/02/2017

Outbuilding within curtilage

P/HOU/2024/05649 - Decision: REF - Decision Date: 20/11/2024

Retain Garage

P/CLP/2024/07524 - Decision: GRA - Decision Date: 13/02/2025

Erection of outbuilding for incidental residential use

8. List of constraints

Within Woodlands settlement boundary

Within Bournemouth Greenbelt

Within an area susceptible to groundwater flooding.

Next to an Ancient & Semi-Natural Woodland

Next to an Ancient Replanted Woodland

9. Consultations

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

Consultees

1, DC – Highways

- No objections

2. P - Woodlands Parish Council

- Object due to the application being retrospective and the building being in close proximity to the ancient woodland which affects the openness of the greenbelt.

3. DC – Tree team

- Due to the location of the new structure and its influence on the woodland fringe it is my specialist opinion that to dismantle the structure and remove the foundation will case additional harm to fringe trees. Therefore, whist galling, in this instance I feel allowing the structure to remain, or at least its base and foundation will be less harmful then its entire removal in this instance.

Representations received

1. Woodland Trust

- The Woodland Trust objects to this application on the basis of deterioration of Ivory Hill Copse/Haythorn Copse (grid ref: SU 03637 08089), designated by Natural England as Ancient Replanted Woodland on both the previous and revised Ancient Woodland Inventories (AWI).

- An Arboricultural impact assessment should be carried out to assess the extent of damage to significant roots of trees on the edge of the ancient woodland in addition to the potential for deterioration from indirect impacts. The report should make recommendations as to the most effective way to remediate and mitigate adverse impacts, including potentially relocating the garage and undertaking sensitive restoration to promote the health and longevity of ancient woodland boundary trees.

Summary of comments of objections:

- Harm to the Greenbelt
- Harm to the Ancient Woodland
- Application is retrospective

10. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

11. Relevant policies

Adopted Christchurch and East Dorset Local Plan:

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

KS1	- Presumption in favour of sustainable development
HE2	- Design of new development
HE3	- Landscape Quality
KS12	- Parking Provision
KS3	- Green Belt
ME6	- Flood Management, Mitigation and Defence

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

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- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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’ This 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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’

National Planning Practice Guidance

Considering the potential impact of development on the openness of the Greenbelt

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume.

12. 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.

13. Public Sector Equalities Duty

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

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

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

It is not considered that the proposed extension and alterations to the dwelling would result in any disadvantage to persons with protected characteristics once the construction phase has been completed. During construction those with limited mobility may be more affected by any noise and disturbance.

14. Financial benefits

There are no financial benefits relating to this householder application. The proposal is not liable for a CIL payment.

15. Environmental Implications

The proposal is for extensions and alterations to a dwelling. These will be constructed to current building regulation requirements and will be serviced by suitable drainage to prevent surface water flooding.

16. Planning Assessment

Principle of development

The site is situated within the settlement boundary of Woodlands. As such, the principle of the proposed development is acceptable in accordance with Adopted Christchurch and East Dorset Local Plan policies KS1 and HE2. There is no 'in principle' objection to the proposed development, subject to the consideration of all other material planning issues.

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Impact on the Greenbelt

Whether the development is inappropriate in the Green Belt

The proposed development lies within the Bournemouth Green Belt. Paragraph 153 of the NPPF (2024) states that *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."*

Paragraph 153 of the NPPF (2024) states *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."*

Exceptions to inappropriate development are set out at paragraphs 154 and 155 of the NPPF (2024). The relevant NPPF (2024) exceptions for the proposed outbuilding is in paragraphs 154(c):

'154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

…(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building…

(g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt…'

The proposed outbuilding is within 37m of the existing dwelling within the proximity of a number of ancillary outbuildings. This outbuilding could be considered to be physically adjunct and therefore an extension and may be assessed in respect of para 154 c).

The original dwelling had a floor space of approximately 180m² when first constructed and after development is now approximately 266m². The addition of the outbuilding with a floor area of 40m² would result in a total increase of up to 70% from the original dwelling (Please note this calculation does not include the 3 additional outbuilding on the site).

Floor area is only one measurement of scale but the increase in the scale of development, including the proposed outbuilding would appear to be disproportionate to the original dwelling and is therefore considered to be inappropriate development in the Green Belt in respect of NPPG para 154 c).

Officers have fully considered whether the proposed development would form acceptable 'limited infilling' in accordance with NPPF paragraph 154 g).

The glossary of the Purbeck Local Plan (adopted 2024) defines infilling / infill development as 'New development which occupies gaps within built-up areas between existing development in an otherwise built-up frontage'

Officers consider that the key considerations in determining whether the proposal forms 'limited infilling' include not only the size of the plot and number of units, but also the scale and form of the proposed development, and its spatial and visual impacts on the essential characteristics of the Green Belt – its openness and permanence. Former appeal decisions have also determined that 'limited infilling' implies minimising the loss of significant open gaps between buildings.

The proposed layout and scale of development within the plot is not considered to reflect the more spacious rural character of the immediate area within this rural context. The proposal is considered to constitute overdevelopment in terms of the extent of built development within the plot area, the large number of existing outbuildings and increased scale of build form from the original dwelling. The restricted open gaps that remain between the proposed and existing outbuildings create a cramped appearance in relation to part of the rear plot boundary.

Officers therefore consider that the proposed development is in excess of what could reasonably be considered to form 'limited infill' and is therefore unable to benefit from the exception at NPPF para 154 g).

For the above reasons the proposal is considered to be inappropriate development in the Green Belt.

Impact on openness and the purposes of the Green Belt

The visual impact of the garage on openness is limited due to its position on the site but the garage building has a spatial presence which results in loss of spatial openness and fails to safeguard the countryside from encroachment.

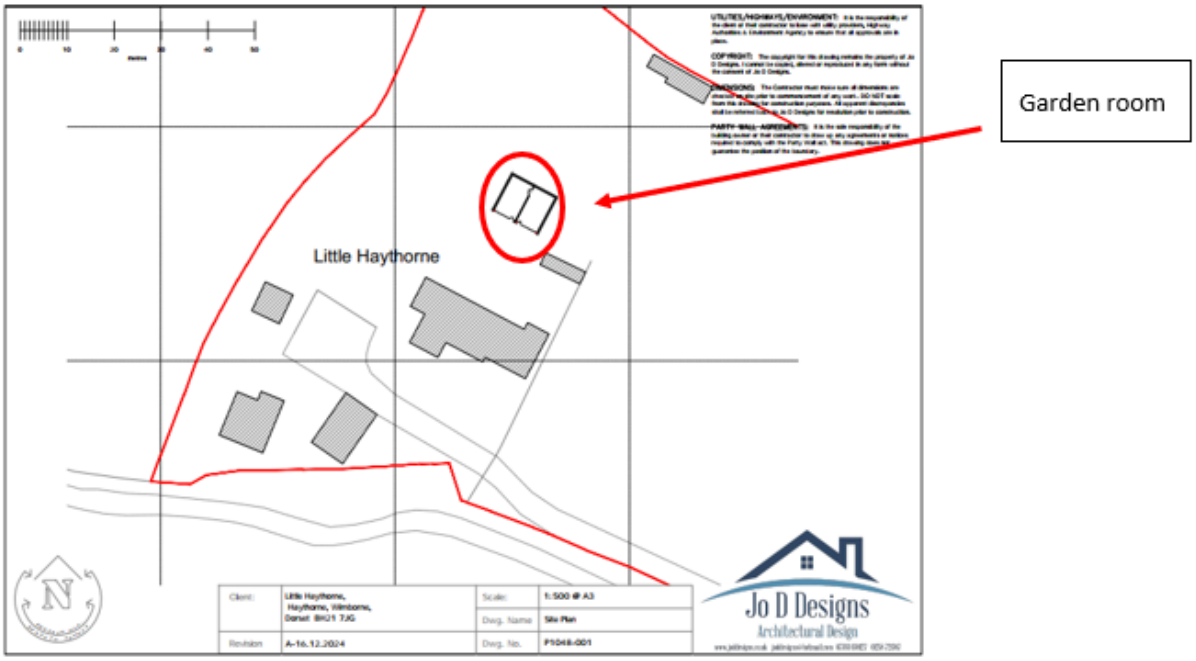
Ancient Woodland

The Woodland Trust objected to the application on the basis of deterioration of Ancient Woodland. They felt an Arboricultural impact assessment should be requested to assess the extent of damage to significant roots of trees on the edge of the ancient woodland in addition to the potential for deterioration from indirect impacts. The report would also look at the possible relocation of the garage. The Council Tree Team were consulted and expressed concern that the removal of the garage would cause further damage exacerbating the harm already caused to the ancient woodland, therefore it is considered that, notwithstanding the harm already caused, the removal of the garage would cause greater harm to the ancient woodland which would be contrary to policy HE3 of the local plan.

Whether there are very special circumstances

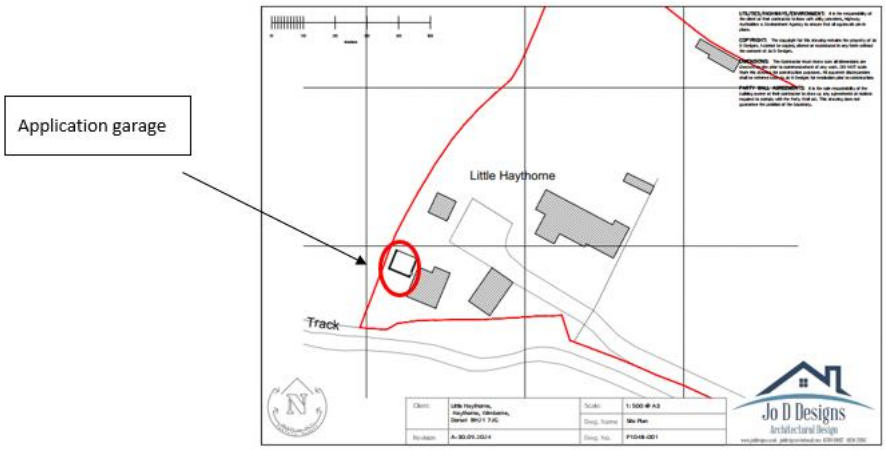
A certificate of lawfulness was sought and approved in February 2025 for a 9m by 11m garden room, under 4m in height, to house a gym and office. The proposal was judged to meet permitted development rights. The garden room would be visible from the driveway access point

and would block views towards the open countryside beyond whilst creating a depth of built form where there was once none.



It is considered that there is a reasonable prospect that the outbuilding would be constructed if the current application is refused. Whereas if this application was approved then a condition could be applied to restrict any future outbuilding within the site without first seeking planning permission and it has been proposed by the agent that the lawful outbuilding approved above could be omitted by legal agreement to further protect the Greenbelt.

The application garage is positioned between an existing outbuilding and the site boundary which is lined by a well-established woodland.



17. Summary of issues and the planning balance

This certificate of lawfulness proposal is considered to represent a valid fall-back position in the light of Green Belt policy and if built would result in a greater impact on the Green Belt as the application garage therefore it is considered to represent a very special circumstance that clearly outweighs the potential harm to the Green Belt from the inappropriateness of the proposed development subject to the restrictive condition and completion of a s106 agreement to prevent the outbuilding benefiting from a CLP from being constructed.

18. Conclusion

This proposal is judged to comply with NPPF Green Belt policy and policies KS1, KS3 and HE2 of the local plan and is recommended for approval subject to conditions and the completion of Planning obligation to prevent the carrying out of works secured under application P/CLP/2024/07524 which if undertaken would be judged harmful to the Green Belt. Should a Legal obligation not be secured the officer recommendation is to refuse. It is requested that Committee delegated the issue of the decision (either A or B) to officers.

19. Recommendation

A) To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to issue planning permission subject to the following conditions following completion of a S106 Planning Obligation that prevents the carrying out of works secured under application P/CLP/2024/07524 and subject to the following conditions:

1. The following plans are hereby approved:
   Location Plan The location plan
   P1048-003 Proposed Elevations

   P1048-002 Proposed ground floor
   P1048-001 Site Plan

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no garages, sheds or other outbuildings permitted by Class E of Schedule 2 Part 1 of the 2015 Order shall be erected or constructed.

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

Informative Notes:

1. This decision should be read in conjunction with the S106 Legal Agreement signed XXXX, that prevents the carrying out of works secured under application P/CLP/2024/07524.

B. Refuse permission for the reasons set out below if the s106 agreement is not completed within 6 months of the date of approval or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East.

Reason for refusal: In the absence of a legally binding mechanism to ensure the prevention of the works secured under application P/CLP/2024/07524, the proposal is contrary to provisions of Section 13 (Protecting Green Belt land) of the National Planning Policy Framework (2023), in particular paragraphs 152 to 154.

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Application Number:	P/FUL/2025/02132
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	St Catherines Roman Catholic First School Cutlers Place Colehill BH21 2HN
Proposal:	Installation of 2no windcatchers to school hall roof
Applicant name:	Solent Planning
Case Officer:	Victoria Chevis
Ward Member(s):	Cllr Atwal and Cllr Todd

1. Reason application is going to committee

The application site is land owned by Dorset Council.

2. Summary of recommendation:

GRANT subject to conditions.

3. Reason for the recommendation: as set out in paragraph 16 at the end of the report

- The site is within the settlement boundary, its 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. Key planning issues

Issue	Conclusion
Principle of development	Acceptable- No objection to the principle of development within the settlement boundary.
Scale, design, impact on character and appearance	Acceptable- The design elements are functional and given the surrounding context no objection is raised.
Impact on the living conditions of the occupants and neighbouring properties	Acceptable- There are no substantial amenity impacts for the neighbouring properties.
Community benefits	The proposal will facilitate the school site to being reutilised providing additional school places for the local area which accords with Government advice in the NPPF which gives great weight to the need to create, expand or alter schools.

5. Description of site

- The school is located centrally within the Colehill urban area.
- The windcatchers are located upon the roof of three central school building's roof. is at least 50 metres from the site boundary in all directions and will have no visual impact beyond the site
- The main entrance is located to the north off Cutlers Place. There is a maintenance vehicle access to the southeast also off Cutlers Place.
- Olivers Park and Recreation Ground is located on the school's west boundary.
- Residential properties of a variety of designs and sizes lie to the north, east and south of the school.
- The site is surrounded by an established woodland on the south and west boundary with a less dense coverage of trees on the east and north boundary.

6. Description of development

Installation of 2no windcatchers to school hall roof for ventilation. The windcatchers can't benefit from permitted development right as they would protrude above the existing roof by more than 1.5m. The proposed windcatchers would be 1.8m tall and 1.24m wide and deep.

7. Background and relevant planning history

03/00/0026/FUL - Decision: GRA - Decision Date: 10/02/2000

Extension To Provide Improved School Office And Entrance & Reclad Existing Building.

03/00/0990/FUL - Decision: GRA - Decision Date: 16/10/2000

Erect Two Timber Framed Buildings For Use As Classroom & Kinder Garten.

03/87/0652/FUL - Decision: GRA - Decision Date: 08/07/1987

Extension And Alterations

03/92/0076/FUL - Decision: GRA - Decision Date: 03/03/1992

Detached Storage Building,

03/92/0833/FUL - Decision: GRA - Decision Date: 13/01/1993

Single Storey Extension, As Amended By Plans Rec. 9 Nov 92

3/06/1497/FUL - Decision: GRA - Decision Date: 18/01/2007

Extension to School Classroom and a Covered Play Area

3/11/0488/FUL - Decision: GRA - Decision Date: 19/07/2011

Construction of raised paths, decking and seating as part of prayer garden within school playing field - part retrospective. Additional information received on 22/06/11.

3/12/0299/FUL - Decision: GRA - Decision Date: 12/07/2012

Demolition of existing wooden classrooms, construction of new multi-purpose classroom block. Erect two temporary classrooms during period of building works additional information received 19 June 2012 and 21 June 2012

3/12/0299/FUL - Decision: GRA - Decision Date: 12/07/2012

Demolition of existing wooden classrooms, construction of new multi-purpose classroom block. Erect two temporary classrooms during period of building works additional information received 19 June 2012 and 21 June 2012

3/13/1036/NMC - Decision: GRA - Decision Date: 15/11/2013

Non-material minor amendment to 3/12/0299/FUL to relocate boiler room door in front elevation and to replace pitched glazed roof over courtyard with a straight glazed roof.

P/CLP/2024/02543 - Decision: GRA - Decision Date: 03/07/2024

The works include the erection of extensions and alterations to the existing school. Works include internal and external alterations for updating the school for educational purposes, to improve the energy efficiency of the building and to rationalise the layout for improved movement and circulation. The works proposed also include the erection of structures for outside educational purposes.

P/FUL/2024/05639 - Decision: GRA - Decision Date: 18/12/2024

Creation of a Multi-Use Games Area (MUGA), erection of a dining canopy, boundary treatments, hardstanding for bin storage, installation of air source heat pump equipment, hard standing and enclosure for electric substation, water storage for the sprinkler system, ancillary equipment, reconfiguration of parking and circulation space. Hard and soft landscaping.

P/CLP/2025/00738 - Decision: GRA - Decision Date: 27/03/2025

Installation of solar equipment on non-domestic premises of microgeneration solar PV equipment; in accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 14, Class J(b).

8. List of relevant constraints

- Area Tree Protection Order
- Adjacent to Olivers Park- Open Space
- Dorset Council Land (freehold): Land for St Catherines Roman Catholic First School Cutlers Place Colehill
- Risk of Surface Water Flooding Extent 1 in 100

9. Consultations

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

Consultees

1. Bournemouth Water Ltd (South West Water)

No comment

2. Dorset Council - Highways

No objection

3. Colehill Parish Council

No comments received

4. Colehill & Wimborne Minster East Ward

Cllr Todd - Assuming a discrete "low profile" model is used, as opposed to an aluminium "industrial" execution, Windcatchers can offer an environmentally appropriate solution to temperature control that decreases energy consumption and environmental pollution whilst simultaneously respecting the semi-rural nature of the Colehill environment.

10. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

11. Relevant policies

Development plan

Adopted Christchurch and East Dorset Local Plan:

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

KS1: Presumption in favour of sustainable development

HE2: Design of new development

HE3: Landscape quality

ME5: Sources of renewable energy

Saved policies of the East Dorset Local Plan 2002

DES2 - Criteria for development to avoid unacceptable impacts from types of pollution, of the East Dorset Local Plan 2002.

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal

and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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 6 ‘Building a strong, competitive economy’, paragraphs 88 and 89 ‘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’ This 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Paragraph 161 sets out that “the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating… It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

National Planning Practice Guidance

Including ‘Determining a planning application’

12. 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.

13. 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.

No disadvantage to persons with protected characteristics have been identified for the proposed development.

14. Environmental implications

The proposed development seeks to provide substantially improved ventilation and heating management for the school hall in a sustainable manner, it will lead to a reduced carbon footprint by reducing energy consumption to facilitate the school estate.

15. Planning Assessment

Principle of development

15.1 As this site lies within the settlement boundary of Wimborne/Colehill the principle of development is acceptable under policy KS2.
The current use class of the site, as set out in the Use Class Order is Class F1 [Learning and non-residential institutions]. The use class of the site will not change as it will remain as a non-residential learning institution.

The school site was closed in 2021 and remains vacant. Two certificates of lawfulness applications have confirmed alterations to the building’s layout, to better facilitate its use as a new school, do not require planning permission and a Full application permitted a number of site alteration/improvements. The current proposal is for an additional alteration where permission is required includes the installation of two windcatchers located upon the roof of the 3 central buildings within the middle of the site. The scheme is intended to improve ventilation and reduce energy consumption within the school. The works form part of wider proposals at the school to facilitate an additional 59+ school places within the newly re-developed site This NPPF paragraph 99 attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities and that local planning authorities should give great weight to the need to create, expand or alter schools.

Scale, design and impact on character and appearance

15.2 The character of the site is defined by mature trees and grassland with a collection of single storey school buildings. Due to the central roof top position views of the windcatchers from outside the site will be limited. There may be glimpse from Cutlers Place but these views in are restricted and it is anticipated that they will only be visible from the end of the access

road off of the main drag of Cutlers Place, when approaching the school. There form will be basic and functional and will not look out of place when viewed within the context of the school roof.

15.3 The character of the area will be maintained and enhanced by the rejuvenation of the school site being brought back into use. The proposal accords with design and landscaping local plan policies HE2 and HE3.

Impact on neighbouring amenity

15.4 A basic noise impact assessment was completed which found that the windcatchers would be quieter than other equipment approved by application P/FUL/2024/05639, therefore no harm to neighbouring amenity is anticipated due to noise. The previous permission included conditions to control the noise from externally mounted plant which is referenced in the supporting statement for this application. No condition is required for the current proposals.

15.5 The site's historical use was as a mainstream school with a higher pupil capacity than now anticipated. Due to their central roof top position and a distance to the school boundary of at least 50 metres in all directions, the location of the windcatchers ensures that there will be no impact on neighbouring amenity.

15.6 No harm to neighbouring amenity is anticipated therefore the proposal is judged to comply with local plan policy HE2 and saved policy DES2.

Community Benefits

15.7 The proposal will facilitate the school site being re-utilised providing additional school places for the local area which accords with Government advice in the NPPF which gives great weight to the need to create, expand or alter schools.

Sustainable energy

15.8 The Windcatchers will provide a more sustainable ventilation system within the school's large spaces, due to their low energy consumption and much lower embodied carbon.

16. Conclusion

For the above reasons the proposal accords with the development plan as a whole and is recommended for approval subject to a conditions.

17. Recommendation: **Grant subject to 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:
   00001 P01 S2 Location Plan
   00002 P02 S2 Block Plan
   01140 P01 S2 Proposed Roof Plan
   03010 P01 S2 Proposed Elevations

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

Informative Notes:

1.Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

2. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

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

Eastern Area Planning Committee

23 July 2025

Application Number:	P/FUL/2025/02071
Webpage:	Planning application: P/FUL/2025/02071 - dorsetforyou.com
Site address:	Ferndown County Middle School Church Road Ferndown BH22 9ET
Proposal:	Removal of existing fencing and erection of new 2.4m and 3m weldmesh fencing.
Applicant name:	Mrs Moore
Case Officer:	Claire Hicks
Ward Member(s):	Cllr Lugg and Cllr Parkes

1. Reason application is going to committee:

The application site comprises land in the Council's ownership.

2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report

3. Key planning issues

Issue	**Conclusion**
Principle of development	Acceptable: Urban area
Impact on character and appearance including trees	Acceptable subject to pre-commencement condition to secure methodology
Impact on the living conditions of the occupants and neighbouring properties	Acceptable
Highway impacts, safety, access and parking	Acceptable: no impacts
Biodiversity	Acceptable: BNG will be secured by condition

4. Description of site

4.1 Ferndown County Middle School lies on the western edge of the urban area of Ferndown with St George V Playing Field to the north and east forming part of the designated Green Belt.

4.2 The site is served by a vehicle access from Peter Grant Way off Church Road to the east. Ferndown First School lies to the south. There is one dwelling within the school grounds. The nearest neighbouring residential properties lies to the east arranged around

the cul-de-sac, Old School Close, positioned south of the entrance and on Church Road further east.

4.3 The school grounds are currently demarcated by post and wire fencing and by some brick walling and piers supporting gates which is softened by vegetation and trees.

5. Description of development

5.1 It is proposed to demolish the brick walls and piers and replace the existing boundary fencing. 2.4m high weld mesh fencing is proposed round the front and along the north of the site, joining with existing fencing to the retained.

5.2 3m high weld mesh fencing is proposed along the rear (west) boundary adjacent to the tennis courts and play area with existing fencing to be retained in the southwest corner of the site and along the southern boundary.

5.3 Proposed ducting is also shown running from the building to the two front gates (nos. 2 and 3) and to a southern boundary gate (no.5)

6. Background and relevant planning history

- 03/01/1055/ZZ - Decision: No Objection - Decision Date: 25/10/2001

Replace Existing Length Boundary Fencing With 3 Metre High Coated Wire Fence.

(Dorset County Council Application)

- P/FUL/2022/04424 - Decision: GRA - Decision Date: 03/11/2022

Replacement and introduction of perimeter fencing.

7. List of constraints

Within Settlement Boundary; Ferndown

Adjacent to King George V Playing Field, Policy: HE4 - Distance: 0

Public Right of Way: Footpath E42/30; - Distance: 12.13

Dorset Council Land Freehold : Ferndown First & Middle Schools & Youth Centre & AE Centre, Mountbatten Drive, Ferndown

Existing ecological network - Terrestrial

Western extent of the site within the Greenbelt

Groundwater – Susceptibility to flooding;

Risk of Surface Water Flooding Extent 1 in 1000

DESI - Minerals and Waste Safeguarding Area - ID: 5494.0

Radon: Class: 1.0

Adjacent to Dorset Suitable Alternative Natural Greenspace (Record ID 84.0)

8. Consultations

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

Consultees

1. **Dorset Council Tree team**- no objection subject to conditions
2. **Dorset Council Highways**- no objection
3. **Ferndown Town Council**- Support
4. **Ward Members Ferndown North**- no comments received

Representations received

The application was advertised by site notices. No representations were received.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

In this case the development plan comprises:

Adopted Christchurch and East Dorset Local Plan:

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

KS1: Presumption in favour of sustainable development

KS2: Settlement hierarchy

HE2: Design of new development

HE3: Landscape quality

ME1: Safeguarding biodiversity and geodiversity

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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 8 ‘Promoting healthy and safe communities’: Para 100 a proactive, positive and collaborative approach should be taken to meeting the requirement to provide sufficient choice of early years, school and post-16 places.
- Section 12 ‘Achieving well designed places’ This 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 131 – 141 advise that:

  The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

  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’- Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

National Planning Practice Guidance

Including ‘Determining a planning application’

Supplementary Planning Guidance

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

11. 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. 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.

No impacts on persons with protected characteristics has been identified.

13. Public Benefits

No significant financial benefits identified.

14. Planning Assessment

Principle of development

14.1 The proposed boundary development is associated with an existing school and the development will not extend into the adjacent Green Belt, so the principle is acceptable.

Impact on the character of the area including trees

14.2 Policy HE2 requires that development should be compatible with its surroundings in relation to 11 criteria including scale, visual impact and relationship with mature trees. Existing boundary treatments at the school have a low visual impact with trees contributing to a sylvan character.

14.3 The proposed weld mesh fencing will be visually permeable and is now a common feature in school grounds. Finished in green it will have a limited visual impact.

14.4 The proposed 2.4m close-board fencing along part of the southern boundary adjacent to the dwellinghouse at 1 Peter Grant Way will have a great visual impact as it will replace a hedge and is higher than would usually be anticipated for domestic fencing, but given the trees backdrop that will remain predominant and in the context of the school grounds no significant visual harm has been identified.

14.5 The proposed fencing will be positioned around the majority of the existing school site including in areas that are well treed. It is important that the trees are protected during the removal of existing boundary treatment and that fencing is installed in a manner which avoids harm to tree roots in the interests of visual amenity and the character of the area. The Council's tree officer has advised that a pre-commencement condition should be imposed to secure appropriate methodology (no. 3).

14.6 Subject to this condition the proposal will accord with policy HE2.

Impact on neighbouring amenity

14.7 The 2.4m high close-board fencing will run along the northern side boundary of 1 Peter Grant Way. The property has several windows facing north which will have their outlook curtailed, but a 2m separation distance from the windows will be maintained and the fencing will secure improved privacy for the occupants, so no demonstrable harm is anticipated.

14.8 Other neighbouring land uses which comprise the playing fields and Ferndown County First School, will not be impacted.

Benefits

14.9 The new boundary enclosure will meet ESFA standards, providing additional security for pupils and the site in general, enabling the school to meet its safeguarding and security responsibilities.

Environmental implications

14.10 No significant environmental impacts have been identified. There will be some benefit from the scheme which will include new tree planting to meet Biodiversity Net Gain requirements. These can be secured by condition (no. 4).

Summary of issues and the planning balance

For the above reasons the application is found to accord with the Development Plan and there are no material planning considerations that would warrant refusal.

The agreement of the agent to the pre-commencement planning conditions was received on 25 June 2025.

15. Recommendation

To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to GRANT permission following the 21 day owner notification period subject to no further representations being received which raise new material planning considerations, and subject to the following conditions:

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

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

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

634-P-01B Site Plan
634-P-02B Block Plan
560-C-08B Main Entrance Works and Typical Detail
634-P-04C Overview of Whole Site and Gate Numbers
634-P-05C Fencing location 1
634-P-06C Fencing location 2
634-P-07C Fencing location 3

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

3.Before any equipment, machinery or materials are brought on to the site for the purposes of the development, a method statement for the wall demolition and fence removal and a construction statement for the proposed fencing which secure tree protection shall be submitted to and approved in writing by the Local Planning Authority. The works shall then proceed fully in accordance with the approved method and construction statements.

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

4.No development shall be commenced until a timetable for the implementation and maintenance of any proposed on-site (within the red line of the application site) non-significant biodiversity net gain (see informative below), has been submitted to and approved in writing by the Local Planning Authority. The implementation timetable and

maintenance details must be prepared in accordance with the approved Biodiversity Gain Plan for the site. Thereafter the on-site non-significant biodiversity net gain shall be implemented and maintained for a period of no less than 5 years following the completion of said biodiversity net gain in accordance with the approved timetable and maintenance details. If within a period of 5 years from the date of the planting of any habitat it is removed, uprooted, destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) the habitat shall be replaced with the same habitat as set out in the approved biodiversity gain plan in the next planting season, unless the Local Planning Authority first agrees in writing to any variation.

Reason: To ensure that non-significant on-site biodiversity net gain is provided on site as required by the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.

Informative Notes:

1. It is likely that if the proposed BNG is on-site and it does not meet one or more of the criteria below that it will not be considered to be significant. However, what counts as a significant enhancement will vary depending on the scale of development and existing habitat, but would normally be:

   • habitats of medium or higher distinctiveness in the biodiversity metric (both proposed habitats and retained habitats)

   • habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development - the combined number of units delivered is equal to or greater than 0.5; and/or the combined number of low distinctiveness units is equivalent to 10% or more of the baseline biodiversity unit value of the site (excluding proposed gardens)

   • habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development - higher distinctiveness of any baseline habitat type e.g. low to medium

   • enhancements to habitat condition, for example from poor or moderate to good

2. Informative: National Planning Policy Framework Statement

   In accordance with paragraph 39 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

   In this case:

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