

Application Number: WD/D/18/002737

Site address: THE BARN HOUSE, MAIN STREET, LODERS, BRIDPORT, DT6 3SA

Proposal: Demolition of an outbuilding and the conversion and extension to an outbuilding to form a dwelling together with associated works

Applicant name: Mr and Mrs Chant

Case Officer: Jennie Roberts

Ward Member(s): Cllr A Alford

1.0 Summary of Recommendation: Grant, subject to conditions

2.0 Reason for the recommendation:

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- The proposed development is considered to have an acceptable impact on the setting of listed buildings, and the listed building itself.
- The proposed development is considered to have an acceptable impact on the natural beauty of the AONB.
- There are no material considerations which would warrant refusal of this application.

3.0 Key planning issues

Issue	Conclusion
Principle of development	The application is for the conversion and extension of a rural building outside of, but adjacent to, the DDB, and largely meets the requirements of Policy SUS 3 of the Local Plan.
Scale, design, impact on character and appearance	The proposed development has an acceptable amenity of the surrounding area.
Impact on amenity	The proposed development has an acceptable impact on the residential amenity of neighbouring properties.
Impact on landscape or heritage assets	The proposed development has an acceptable impact on the natural beauty of the AONB and the setting of

	nearby listed buildings and the listed building itself.
Access and Parking	The proposed development is acceptable in terms of access and parking.

4.0 Description of Site

The Barn House is a grade II listed dwellinghouse, which lies south of Main Street and fronts on to the road. Two outbuildings, with a courtyard between them, are located to the rear of the dwellinghouse. The outbuildings are currently used as storage ancillary to the dwellinghouse.

5.0 Description of Proposal

The proposal involves the conversion and extension of an existing outbuilding to residential. The remaining outbuilding will be demolished. The proposed dwelling would be accessed off Main Street via the existing initially gravel (adjacent to the road) then grass constructed drive. Previously, permission was granted to convert the two existing outbuildings to a unit of holiday accommodation (planning consent no. WD/D/18/000262).

6.0 Relevant Planning History

Application No.	Proposal	Decision	Decision Date
WD/D/18/000262	Conversion of outbuildings into a dwelling	A	24 May 2018
WD/D/18/000263	External and internal alterations to outbuildings to accommodate conversion to residential	A	24 May 2018
WD/D/18/002738	Demolition of an outbuilding and alterations and extension to an outbuilding to facilitate the conversion to a dwelling	DEL	
WD/D/17/001351	Form roof to open area between two outbuildings	Approved	07/08/2017

7.0 Relevant Constraints

- Outside of, but adjacent to, DDB

- Grade II curtilage listed building (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)
- Within the Loders Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)
- Area of Outstanding Natural Beauty : (*statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000*)

8.0 Consultations

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

- **Historic England** – *No objection*
- **Natural England** - *No comment - standing advice applies*
- **Loders Parish Council** – *Objects: The application is contrary to the adopted Loders Neighbourhood Plan (LNP) Policies E1, E2, E3, and E5., all of which aim to protect and enhance the special character of the area and village, the amenity of neighbours and ensure that new development is not intrusive in local views and reflects local distinctiveness, including design and materials. It also is contrary to the Local Plan Policy SUS3.*
- **DCC Highway Authority** – *No highway objection*
- **DCP Environmental Health** – *No comment*
- **DCP Technical Services** – *No objection*
- **DCP Conservation Officer** - *Support - the scheme and inclusion of a formal track will not have an adverse affect upon the setting of The Main Barn House, harm the existing outbuilding or adversely affect the character of the conservation area.*

9.0 Representations

6 representations to support the proposal:

- It will enhance the economy with direct and indirect expenditure in both Loders and the surrounding area – supporting existing businesses such as the pub
- Building design is sympathetic to the surrounding properties and historic nature of the village
- In keeping with the local environment
- Immediately adjacent to the Defined Development Boundary, therefore a sustainable location
- Will remove and renovate unsightly derelict buildings which will enhance the area
- Plenty of on-site parking, so will not lead to an increase in on-road parking

12 representations to oppose the proposal:

- Contrary to policies of the Loders Neighbourhood Plan
- Light pollution with external lightening impacting on both neighbouring properties and local wildlife
- Noise pollution of the residential use including cars
- New homes should be built along village street and not behind existing properties in fields
- Backland development, which is at odds with the ancient linear development of the village
- May set precedent for future development along this secondary line
- Outside of Defined Development Boundary
- Fundamental change to the character of the village
- Access would be via shared access drive with limited sight lines to busy main road will create safety hazard
- Will not enhance the AONB, Conservation Area or the listed buildings in the area
- Will affect an important rural view
- Site is on a flood plain

10.0 Relevant Policies

West Dorset & Weymouth Local Plan (2015):

- INT1. Presumption in Favour of Sustainable Development
- ENV1. Landscape, Seascape and Sites of Geological Interest
- ENV4. Heritage Assets
- ENV5. Flood Risk
- ENV9. Pollution and Contaminated Land
- ENV10. The Landscape and Townscape Setting
- ENV11. The Pattern of Streets and Spaces
- ENV12. The Design and Positioning of Buildings
- ENV16. Amenity

- SUS2. Distribution of Development
- SUS3. Adaptation and Re-use of Buildings outside Defined Development Boundaries
- ECON6. Built Tourist Accommodation
- COM7. Creating a Safe and Efficient transport Network
- COM9. Parking Standards in New Development

Loders Neighbourhood Plan:

- LNP Policy E1: Protection of Important Open Gaps, Rural Views and Local Green Spaces
- LNP Policy E2: Protection of Special Landscape and Historic Features
- LNP Policy E3: Protection of Wildlife Habitats
- LNP Policy E4: To Protect and Enhance the Character and Appearance of the Area
- LNP Policy E6: Use of Redundant Rural Buildings

NPPF:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 6 – Building a strong, competitive economy

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, 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.

Decision taking:

Para 186 - Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

Para 187 - Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should

work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Other material considerations

Design and Sustainable Development Planning Guidelines (adopted 2009)

Dorset AONB Management Plan: 2019 - 2024

West Dorset Landscape Character Assessment 2009

DCC Parking standards guidance

Loders & Uploders, Powerstock & Nettlecombe Conservation Area Appraisal

11.0 Human rights (standard text)

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

12.0 Public Sector Equalities Duty (standard text)

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

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

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

13.0 Financial benefits

Community Infrastructure Levy

The adopted charging schedule only applies a levy on proposals that create a dwelling and/or a dwelling with restricted holiday use. All other development types are therefore set a £0 per square metre CIL rate. This development proposal is CIL liable. The rate at which CIL is charged is £100 per sqm plus new index linking. Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued prior to the commencement of the development. Index linking as required by the CIL Regulations - (Reg. 40) is applied to all liability notices issued, using the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. CIL payments are index linked from the year that CIL was implemented (2016) to the year that planning

permission is granted. The new index rate will be applied on CIL liable planning applications approved from Monday 19th November 2018.

Affordable housing

Policy HOUS1 requires all new dwellings to make a 35% contribution towards affordable housing. However, in May 2016 National Planning Practice Guidance was updated to reflect the re-instatement of a Written Ministerial Statement from 28 November 2014. National planning policy and national guidance establish thresholds below which affordable housing contributions should not be sought.

In the light of changes to national policy and guidance, affordable housing contributions will not normally be sought on sites of 10 units or fewer (or with a maximum gross combined floor space of 10,000 square metres or less), outside designated rural areas. As this site falls below these thresholds an affordable housing contribution is not required.

14.0 Planning Assessment

Principle of Development

The principle of the proposed development will be explored below, assessed against the policies of the Loders Neighbourhood Plan and the adopted Local Plan.

Loders Neighbourhood Plan

The application site is located outside of the defined development boundary (DDB), as defined within the Loders Neighbourhood Plan. Loders Parish Council has stated that the proposal is contrary to Neighbourhood Plan Policy, E5, which sets out that “*any new buildings (other than for farming and other land-based rural businesses, or associated rural workers’ housing) and associated land (such as gardens or parking areas) should be located within this development boundary*”. However, this application relates to the change of use and extension of an *existing* building, not the erection of a *new* building. The application is therefore not contrary to this policy.

The neighbourhood plan policy E6: Use of Redundant Rural Building states that:

‘where a redundant rural building makes a positive contribution to the local character. And is not in an isolated location where substantial new infrastructure would be required, its re-use for housing, community or business use, where appropriate, will be supported’.

This policy relates to the use of ‘redundant buildings’, however in this case the building is not considered to be redundant and is used as storage in association with the dwellinghouse. Therefore if permission were not to be granted then the outbuilding would continue to be used in association with the dwelling. The building is considered to be make a positive contribution and is curtilage listed.

The application site is not considered to be in an isolated location as it is within the garden of the existing dwelling and adjacent to the DDB.

Local Plan

The proposal is located outside of the DDB as defined in the Local Plan. As it involves the conversion of an existing building to a dwelling, it will be considered against policy SUS3 of the Local Plan. The proposed development largely meets the requirements of part i) of this policy, in that the existing curtilage-listed building is considered to be of permanent construction and is of a traditional stone-built design. Whilst it will be extended to incorporate a first floor and a southern wing, this would be off-set by the removal of the second existing outbuilding on the site. In terms of part ii) of the policy, whilst the proposal is located outside of the DDB, it is considered to be on land that adjoins the DDB. The DDB includes the associated dwellinghouse The Barn House and the proposal is located within the rear garden to the dwelling with no intervening land in between. Therefore, the proposal is considered to comply with part ii) of policy SUS 3.

Having regard to the above, it is considered that the principle of the proposal is acceptable.

Visual Amenity

The proposed development would not have a significant adverse impact on the visual amenities of the site or locality. Whilst the conversion and extension of the existing building would see its height increased, and various external alterations made, its location means it would not be highly visible from the public realm. Concerns have been raised that the proposal would result in development on a secondary line behind the properties on Main Street; however, given that the application involves the conversion of an existing outbuilding, it is clear that there is already built form to the rear of main street.

Residential Amenity

It is considered that the proposed development would not have a significant adverse impact on the living conditions of occupiers of neighbouring residential properties. The proposed dwelling is considered to be located a sufficient distance away from neighbouring properties. The Barn House is set within a large plot and the proposed dwelling would be located a minimum of 40m away from the rear garden of the neighbouring property, No 41 and to the east of the site is Loders CE VC Primary School. Concerns have been raised in particular in relation to noise and light pollution. The proposal is located within the garden of the Barn House where residential activities can already take place and the outbuildings to be converted include a car port so vehicles can already drive down the grass access track to the buildings. Furthermore the separation of the proposal from the neighbouring properties means that the proposal is not considered to result in a significant adverse impact.

Area of Outstanding Natural Beauty

The proposed development within the garden of the Barn House will be seen in the context of the main dwelling and the neighbouring properties of Main Street when viewed from the south. Concerns were raised stating that the development of the driveway and parking area will adversely affect the rural character of the area and would impact on the key view B1 as set out in the neighbourhood plan policy LNP E1. However no alterations are proposed to the existing arrangement with gravel adjacent to the road and grass access track down to the proposal. Whilst the conversion and extension of the existing building will see its height raised, it is considered that this will not negatively impact upon the character, special qualities or natural beauty of the Dorset Area of Outstanding Natural Beauty.

Conservation Area

The proposal involves the conversion and extension of an existing outbuilding which is located in the rear garden of The Barn House; this location means the proposal would not be highly visible from the public realm of Main Street or the right of way approximately 90m to the south, and separated by planting along the river. The conservation officer considers that the proposal preserves the character and appearance of the conservation area; this conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area; and (2) Local Plan policy.

Listed Building

The Barn House is a grade II listed property, and the outbuildings (the subject of this application) are located approximately 60m to the rear of the main house. The conservation officer supports the scheme, subject to conditions. She originally recommended that eaves line glazing replaced the proposed rooflights, so in line with these comments, the agent submitted amended drawings for consideration. However, the replacement of the rooflights with eaves line windows resulted in the building being higher than originally proposed, and the character of the building was adversely affected. As such, the conservation officer agreed that the scheme as submitted was preferable and acceptable. She considers that the demolition of the south facing outbuilding is of no significance and the removal will not harm the setting of the Listed Building and outbuilding.

The application site is also located close to a number of listed buildings, however it is considered that the proposal will not adversely affect their setting. This conclusion has been reached having regard to: (1) section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the setting of Listed Buildings; and (2) Local Plan policy.

Contaminated Land

The application site is located within a contaminated land buffer, the proposal involves the conversion of the existing building and Environmental Health were consulted and had no comment to make in response to the application.

Biodiversity

No objection has been received from Natural England in relation to this application. However, as the proposal relates to demolition of and works to existing buildings, and the site is greater than 0.1ha in size, a condition is recommended to secure a biodiversity mitigation plan and its implementation.

Flooding

Whilst the rear of the garden of The Barn House is located within flood zones 2 and 3, the existing outbuilding proposed for conversion and extension is located outside of flood zones 2 and 3. Having regard to the submitted Flood Risk Assessment (FRA) it is considered that the proposal will not increase the risk of flooding, and any approval would be conditioned to be carried out in accordance with the mitigation measures included within the submitted FRA. Furthermore, Technical Services were consulted on the application and had no objection or further comment to make in response to the application.

Access and Parking

The proposed dwelling would be accessed off Main Street via the existing shared access. The drive down to the proposal would remain as existing, with turning space provided within the existing courtyard. Concerns have been raised regarding the access being a safety hazard due to limited sight lines, however, the Highway Authority was consulted and had no highway objections to the proposal.

Other

The Parish Council has referred to the fact that in the previous application for the conversions of the outbuildings to a holiday let, the planning officer did not consider the proposal to be suitable for use as a permanent dwelling. However, this was because the holiday let was split between the two existing buildings. The layout of the approved scheme resulted in an unusual arrangement with the accommodation separated between the two buildings. A one bedroom unit was to be provided within building one with an additional bedroom and bathroom in building two. This current proposal, which sees the extension and conversion of one building and the removal of the other, is considered suitable for use as a permanent dwelling, in that the accommodation is contained within a single building.

15.0

Conclusion

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- The proposed development is considered to have an acceptable impact on the setting of listed buildings, and the listed building itself.
- The proposed development is considered to have an acceptable impact on the natural beauty of the AONB.
- There are no material considerations which would warrant refusal of this application.

16.0 Recommendation

Grant, subject to conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan - Drawing Number 38/119/1 received on 26/11/2018
 - Access Details - Drawing Number 38/119/13 received on 26/11/2018
 - Proposed Block Plan - Drawing Number 38/119/6 received on 26/11/2018
 - Site Plan - Drawing Number 38/119/7 received on 26/11/2018
 - Section AA/West - Drawing Number 38/119/12 received on 26/11/2018
 - Ground Floor Plan - Drawing Number 38/119/8 received on 26/11/2018
 - First Floor Plan - Drawing Number 38/119/9 received on 26/11/2018
 - Proposed South and West Elevations - Drawing Number 38/119/11 received on 26/11/2018
 - Proposed North and East Elevations - Drawing Number 38/119/10 received on 26/11/2018

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

- 2 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).

- 3 The development hereby approved shall be carried out in accordance with the flood risk management measures as detailed in the Flood Risk Assessment dated November 2018 and shall be maintained as such thereafter.

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

- 4 Prior to its installation, details of the gate hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the development shall proceed in strict accordance with such details as have been agreed.

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

- 5 Full details of soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall identify areas for new planting, including details of locations, species (all species shall be native to the locality), sizes, and densities of plants. In addition, the scheme shall include provision for the maintenance and replacement as necessary of the planting on the site for a period of not less than 5 years. Such scheme shall be implemented during the planting season November - March inclusive, immediately following commencement of the development or as may be agreed otherwise in writing by the Local Planning Authority.

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

- 6 No works shall commence on site unless the site has been checked for evidence of protected species by a suitably licensed person and the results of that check and any necessary mitigation measures shall be submitted to and approved in writing by the

Local Planning Authority. Thereafter the development shall proceed in strict accordance with the approved mitigation measures, unless modifications to meet any requirements of a European Protected Species Licence or as a result of subsequent bat surveys, have first been submitted to and approved in writing by the Local Planning Authority. The agreed mitigation measures shall be permanently maintained and retained in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protected species.