

1.0 Application Number: 6/2019/0604

Webpage: <https://planningsearch.purbeck-dc.gov.uk/Disclaimer?returnUrl=%2F>

Site address: The Old Malthouse, High Street, Langton Matravers, BH19 3HB

Proposal: Redevelopment of site including demolition of several school buildings, conversion & construction of new buildings to provide 19 dwellings with vehicular access, off street parking, gardens & landscaping

Applicant name: Old Malthouse (Purbeck) Limited

Case Officer: Cari Wooldridge

Ward Member(s): Councillor Cherry Brooks

The Nominated Officer has identified this application to come before the Planning Committee in light of the concerns raised by the Parish Council and local representations.

2.0 Summary of recommendation:

GRANT planning permission subject to conditions.

3.0 Reason for the recommendation:

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

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable. The site is previously developed and the majority of the site is located within the settlement boundary.
Vacant building credit and affordable housing provision	Acceptable and in accordance with NPPF and NPPG policy and guidance.
The impact of the proposals on the significance of the heritage asset of Langton Matravers Conservation Area,	Acceptable subject to details of finishes and joinery conditions.

its features of special architectural or historical interest, and it's preservation	
Scale, design and impact on the character and appearance of the area	Acceptable subject to detail of materials condition.
Impact on the Dorset AONB	Acceptable. Submitted Landscape and Visual Impact Assessment is acceptable and includes suitable mitigation.
Impact on the living conditions of the occupants of neighbouring properties	Acceptable subject to conditions.
Tree impacts	Acceptable subject to condition requiring implementation of the submitted Arboricultural Method Statement and Tree Protection Plan.
Biodiversity impacts	Acceptable biodiversity impacts in accordance with Biodiversity Mitigation and Enhancement Plan approved by the Dorset Council Natural Environment Team. Acceptable impacts on Dorset Heaths International Designations and Poole Harbour Recreation Pressures in accordance with adopted policy and SPD.
Highway safety, car parking and impacts on Public Rights of Way	Acceptable subject to conditions and informative notes on decision.
Flood risk and drainage	Acceptable subject to conditions requiring the approval of a detailed surface water management scheme, and related maintenance and management details.
Waste Service Provision	Acceptable.
Second homes and infrastructure contribution	Emerging Purbeck Local Plan cannot be given weight at this stage.

5.0 Description of Site

5.1 The application site is approximately 0.5ha in size and consists of buildings and land that formerly formed the main complex of The Old Malthouse School, Langton Matravers, which closed in 2007. The site forms part of a much larger area of land

within the same ownership, including extensive playing fields to the north and north-east. Other part of the school site have previously been severed and sold / redeveloped including land to the west of Old Malthouse Lane and more recently cottages along High Street to the south of the application site.

5.2 The majority of the application site is located within the Langton Matravers settlement boundary, although areas of car parking along the northern part of the site are located outside the boundary. The site is also located within Langton Matravers Conservation Area which includes all of the former school buildings and significant areas of the former playing fields to the north of the site. In addition, the site is within the Dorset Area of Outstanding Natural Beauty with exceptional landscape views to the north, and the entire site (in addition to the playing fields) is covered by a Tree Preservation Order. Within the site, former school buildings remain of varying heights and ages. Older school buildings are set along Old Malthouse Lane with modern (1980s) detached school buildings located to the rear including a large school hall. All existing buildings are constructed of Purbeck Stone with areas of wooden cladding also used on the modern buildings. The topography of the site slopes away from Old Malthouse Lane to the east and north, with the rear area of the site being at significantly lower levels. Purbeck stone walling encloses the majority of the site boundaries although temporary modern close boarded fencing has been installed to separate the recently sold properties on High Street from the southern boundary of the site.

5.3 Surrounding development is largely residential including historic (although unlisted) and more recent redevelopment along Old Malthouse Lane. To the east, the site adjoins Langton Matravers Primary School and its playground.

6.0 Description of Development

6.1 The application proposes the redevelopment of the site including demolition of several school buildings, together with the conversion & construction of new buildings to provide 19 dwellings with vehicular access, off street parking, gardens & landscaping.

6.2 Following amendments to the original plans, the number of dwellings proposed in the scheme has been reduced in number by one to nineteen. This proposal consists of 9 apartments, 9 houses and 1 bungalow. The table below sets out the breakdown according to type, size and conversion / new build:

Property Type	1 bed	2 bed	3 bed	TOTAL	New Build	Conversion
Bungalow	1			1	1	
House		2	7	9	9	
Apartment	2	6	1	9	7	2

- 6.3 The apartments consist of 2 units within the conversion of the more historic part of the original school buildings along Old Malthouse Lane and 7 units within a new build element (to replace demolished buildings) along Old Malthouse Lane, forming a courtyard to the east. The modern and larger 1980s school buildings in the northern part of the site are to be demolished and will allow for a courtyard style development of detached and semi-detached houses (including a single bungalow) focused around car parking courts that address the differing levels of the site.
- 6.4 Whilst the conversion and new build apartment buildings will continue to reflect the existing industrial appearance along Old Malthouse Lane, the new build courtyard properties have a much more modern appearance and design which continues to include traditional materials, including Purbeck Stone, that are distinctive to the village.
- 6.5 The vehicular access to the site will remain via Old Malthouse Lane with the existing school site access altered to provide for the new development. An existing area of informal car parking that extends along the eastern side of Old Malthouse Lane between the lane and the playing fields to the north of the site is to remain and will continue to provide parking for residents as part of the proposed scheme.

7.0 Relevant Site and Planning History

Site History

- 7.1 The submitted Planning Statement for the application sets out the history for the site which, originally constructed as a brewery, became the private / independent school known as the Old Malthouse in 1906. The independent boarding school was closed on 12th July 2007.
- 7.2 In 2008 the property was acquired by the Cothill Educational Trust that operated a business from the site. The Trust first ran courses for adults, for corporate team building and staff development. Then providing a science- based centre, running residential, outward bound type courses for children. Fees were charged per person, per day and there is no Ofsted history as the business was not a school. The current owner of the site purchased the site from the Cothill Educational Trust after closure of the Cothill business in November 2018. The company accounts refer to the sale of a “former activity centre”.

Planning History

- 7.3 The recent planning history listed below relates specifically to the application site for the current application. Other applications for residential development have been approved historically on Old Malthouse Lane as either redevelopment of former school buildings or the change of use to residential of former buildings.

6/1985/0525 - Erect extension to form new entrance lobby and W.C. – Approved.

6/1986/0884 - Erect multi-purpose school hall. – Approved.

6/1993/0434 - Erect two-storey block to provide 6 No. new classrooms. - Approved.

6/2009/0257 - Demolition of two storey extension. Erection of new two storey entrance lobby and access corridors. – Approved.

6/2009/0664 - Demolition of two storey extension. Erection of new two storey entrance lobby and access corridors - proposed non- material amendment to PP 6/2009/0257 - rearrangement of fenestration including two additional windows, reduction of rooflights and adjustment of the upper roof height – Refused.

6/2010/0415 - Demolition of two storey extension. Erection of new two storey entrance lobby and access corridors - (application for retrospective alterations - as built). – Approved.

Pre application advice and negotiation

7.4 The Case Officer and Design and Conservation Officer have provided significant levels of advice in relation to the current proposal at both pre-application and application stages. Pre-application advice considered two options for residential development at the site (i) to include conversion of all buildings fronting onto Old Malthouse Lane and (ii) to include partial demolition and re-building of buildings fronting onto Old Malthouse Lane, together with a new courtyard development to the rear. The advice concluded that the proposed residential development was acceptable in principle subject to the requirements of Policy CF of the Purbeck Local Plan being met, or sufficient evidence being supplied as part of any planning application to demonstrate a material change of use has occurred from the established C2 school use of the site. It was also advised that further consideration was given to the other aspects raised in written advice prior to the submission of any planning application including the inclusion of retaining mature trees, neighbour amenity, hard and soft landscaping, and bin / recycling storage.

8.0 List of Constraints

8.1 The following constraints and designations are applicable to this application:

- The parish of Langton Matravers.
- Langton Matravers settlement boundary.
- 500m of Ancient Woodland.
- The Dorset AONB (Purbeck) (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).
- The Bournemouth Airport Windfarm Safeguarding Area.
- Langton Matravers Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- 5km of a European Habitat (SSSI).
- The Mineral Safeguarding Area.
- A River Catchment - Poole to Weymouth Coast.
- 2km of a SAC.

8.2 The site also intersects a footpath right of way and has a TPO Order (A1) District of Purbeck (The Old Malthouse School No.1, Langton Matravers) Tree Preservation Order 2007' Ref. TPO 332 which covers all trees that were present at the time that the Order was made.

9.0 Consultation responses (summary)

9.1 All consultee responses can be viewed in full on the website. The following are summaries:

Consultees

- **Natural England (responses 22/11/19 and 22/07/20).**

No objection subject to heathland mitigation being secured in accordance with SPD to ensure that identified adverse effects are mitigated. Authority to undertake an Appropriate Assessment. No additional mitigation measures are required above what you would secure through CIL Proposal must meet statutory duty in regard of the Dorset AONB. Planning permission should not be granted until the BMEP has been approved by the Dorset Council Natural Environment Team.

- **Historic England.**

Includes demolition of an element of the north-western range of the school buildings which is considered to be a positive building in the Conservation Area Appraisal. Authority must be convinced that the proposed development will preserve or enhance the character and appearance of the Conservation Area and that the demolition is justified.

- **Environment Agency.**

Outside external checklist - no comment.

- **Health and Safety Executive (consulted on advice of Dorset Council Environmental Health Officer).**

Use HSE's Planning Advice Web App to consult HSE where development is within the consultation distance of a hazardous installation or a major accident hazard pipeline – Officer Note: not relevant to this application.

- **Wessex Water (WW)**

Foul sewers crossing the site may have transferred into public ownership. Should be accurately located and marked on developer drawings. No building within 3m and no tree planting within 6m. May be possible to divert sewers.

No foul drainage details for review. Information provided for applicant.

The existing drainage regime for retained buildings fronting High Street and Old Malthouse Lane is to remain. Rear roof areas of retained buildings are to be re-directed to a new separate surface water system. Surface water runoff must be disposed of in accordance with SuDs Hierarchy and NPPF Guidelines.

The Surface Water Design strategy (GAP Ltd Oct 2019) using infiltration methods requires the approval of the Lead Local Flood Authority (LLFA). Ground Investigation has not been undertaken to prove that soakaways will work. If infiltration is unviable, the contingency strategy proposes connection to the public surface water sewer. Where other methods are not viable, developers may connect to the nearest public surface water sewer at an agreed discharge rate. Proof of connectivity between private manhole in applicant's ownership and the public surface water sewer on Old Malthouse Lane required. Must also demonstrate satisfactory hydraulic capacity and condition of the private sewer.

Wessex Water will only accept discharge from a permeable paving system acting as an attenuation feature with an impermeable membrane preventing groundwater ingress. Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system. Surface water connections to the public foul sewer will not be permitted either directly or indirectly.

- **Dorset Police (Crime Prevention and Design Advisor).**

No response received to consultations.

- **Dorset and Wiltshire Fire and Rescue Service.**

No response received to consultations.

- **Forestry Commission.**

No comments to make due to the scale of the proposed development. Refer to standing advice.

- **Woodland Trust.**

- No response received to consultations.

- **Dorset AONB Officer.**

The Application is supported by a comprehensive LVIA and the judgements reached are fair and considered. The Proposals are compliant with the AONB Management Plan objectives and policies.

The northern 'edge' treatment is particularly important. The Illustrative Landscape Proposals show a mix of tree planting and hedges/ stone walling to this boundary – which will assist in assimilating the proposed dwellings into the setting. Landscaping to be secured through condition and a detailed method statement required in relation to central Beech tree.

- **Dorset Council Arboricultural Officer.**

No objection. The arboricultural assessment, method statement and Tree Protection Plan provided are appropriate. The rationale given for the tree removals is acceptable and the specified protection of the remaining trees is

appropriate. Condition development to be carried out in accordance with approved details.

- **Dorset Council Design and Conservation Officer (responses 05/02/20, 16/06/20 & 12/08/20).**

Comments on proposal as originally submitted

Submission was not quite as expected after pre-app. Old Malthouse Lane elevation not supported due to substantial harm to the setting of the conservation area. The public benefits not outweighing the harm caused. Concerns - dominant gable end, loss of staggered frontage, over domestication of the existing character which is of an “industrial”/commercial nature. Proportions of glazing and rhythm not maintained. The existing lattice pattern to the windows are considered an important feature within the conservation area and their replacement would be considered harmful. The proposed bin store replacing an existing building with high level glazing is considered unnecessary loss of a positive feature and should be retained if possible.

Bordering at an overdevelopment of the site due to increased need for parking and ancillary functions. Use of water butts collecting rainwater is considered a weak solution visually although could be described as a “sustainable” design approach – a more integrated approach should be considered.

The design of the inner courtyard dwellings is considered a positive feature and it is disappointing that this contemporary design approach cannot be extended throughout the new built elements of the scheme.

No objection to amended plans received 23/07/2020

Following lengthy design discussions, the latest drawings now reflect and resolve all DCO concerns over the Old Malthouse Lane elevation and support is now offered to the scheme. Although large in scale, the heritage impact of the proposal is considered to result in less than substantial harm which will be outweighed by the overall public benefits of the scheme. No objection subject to conditions.

- **Dorset Council Public Health Officer.**

Request a Construction Environmental Management Plan (CEMP) to demonstrate how it is intended to minimise or mitigate construction effects.

Ensure that the Environment Agency and Health & Safety Executive are made aware of this application and proposed demolition and any formal guidance produced by either enforcing body is referred to during the demolition phase of the development.

Demolition is likely to have significant effects upon the environment and residents with regards to noise, and dust. To protect residents the CEMP

should include details as listed by Environmental Health Officer (available in full on website).

- **Dorset Council Highways Engineer (responses 20/01/20 and 03/09/20).**

No objection.

Application is for the redevelopment of buildings and grounds that have had a variety of uses over many years each generating their own vehicular trips that in theory could be utilised within their use class which certainly for the educational use could be significantly higher than this proposal for just 20 residential units.

This size of development doesn't require supporting with a Transport Assessment, especially in view of recent changes to such requirements and bearing in mind the sites previous uses. However, the applicant has submitted a Transport Statement.

Comments have received about visibility from the private access road on to the High Street (B3059) which in addition to a bus route provides access to Corfe and beyond to the west and the nearby town of Swanage to the east. This section of High Street has an unusual bulge in it which helps with visibility by creating splays each side due to the vehicle track line of passing vehicles being further from the dropped kerbs across the access. This situation is to remain.

It is noted the Transport Consultant states that the applicant is willing to fund the consultation and implementation of road markings at the access to Old Malthouse Lane at its junction with High Street. The existing zig-zag lines denoting a school access are no longer relevant and could be removed and replaced with some form of road markings such as solid white lines with hatching within the carriageway of High Street in line the kerb alignment of High Street either side of the access to emphasise no parking within 10 metres of this junction as per the Highway Code to keep sight lines clear. This could be reinforced with traffic regulation orders which the Parish Council needs to request.

Storage and collection of waste is proposed within a building to the north side of the site's own access away from High Street.

The Highway Authority considers that the revised proposals do not present a material harm to the transport network or to highway safety subject to conditions relating to (i) Estate Road Construction and (ii) the submission of a construction traffic management plan.

Following submission of additional swept path analysis information by transport consultants on behalf of the applicant, the Highway Authority still considers the development to be acceptable, especially given the minor improvements now made and has no further comments to add to previous.

- **Dorset Council Local Lead Flood Authority (responses 19/12/19, 20/02/20 & 08/06/20).**

Site within Flood Zone 1 (low risk of fluvial flooding) and no (theoretical) risk of surface water flooding by relevant mapping. Adoption of infiltration methodologies is likely to be viable at this location, subject to adequate ground investigation and consideration of the existing layout.

Application is supported by a comprehensive and site-specific Surface Water Design & Maintenance Plan (SWDM) and Surface Water Drainage Layout Plan. Whilst the SWDM document does outline the existing drainage arrangements and presents a conceptual drainage strategy as two options (i.e. Systems A & C), pending adequate assessment of ground conditions and relevant infiltration rates, we retain some concerns on the basis of the assumptions made in respect of ongoing discharge to the adjacent highway and receiving sewer system/s.

The alternative strategy of zero infiltration needs to offer a contingency arrangement that is both viable and deliverable. Wessex Water (WW) should be consulted and invited to comment in respect of available capacity and required betterment, or mitigation. Without in principal agreement and comment from WW the contingency arrangement is not substantiated.

Within the response provided by WW (15/01/2020) they have identified the extent of their obligation to existing drainage infrastructure and have offered in-principle agreement to the contingency arrangement, should subsequent ground investigation and soakage testing not support the (preferred) adoption of infiltration methodologies. Withdraw our Holding Objection, provided two conditions are attached to any subsequent permission. Details also provided to applicant.

Proposed revisions do not necessitate any alterations to the conceptual drainage strategy upon which we have previously commented and found acceptable, subject to the attachment of relevant conditions.

- **Dorset Council Housing Policy Officer.**

No objection. Due to the increasing numbers on the housing register and the shortage of general needs affordable housing it is vital to provide affordable housing on development sites. Unfortunately this application shows some vacant dwelling credit on this site so there is no provision for affordable homes required.

- **Dorset Council Rights of Way Officer.**

Proposals in vicinity of public right of way. No objection. However, throughout the duration of the development and in the future, the full width of the public right of way must remain open and available to the public, with no materials or vehicles stored on the route and the

surface of the Rights of Way must be maintained. Two informative notes proposed.

- **Dorset Council Waste Partnership.**

Concern, especially in the construction phase is access to the properties at the bottom of the Malt House Lane and Mount Pleasant Lane which is serviced by a standard RCV (11m long x 3 m wide). Proposed tree planting could over time cause access issues/damage to our vehicles.

The bin store doesn't make it clear what access we will have and if it has enough capacity for the size or amount of containers that will be required.

- **Langton Matravers Parish Council (LMPC) (responses received 11/12/19, 09/03/20 & 19/06/20).**

Comments on original submission

Object.

The 'Vacant Building Credit' used to avoid affordable housing does not apply because the buildings are abandoned rather than vacant (see Court of Appeal ruling Hughes v Secretary of State for the Environment [2000] for definition of abandoned buildings). The parking area to the North on Old Malthouse Lane is outside the settlement boundary, triggering a requirement for affordable housing.

The NPPF makes clear that sustainability for communities is an important aim should be 'to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations'. Para 77 says 'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs'. This development does not do either, as the main need is for affordable homes. Recent new builds in the village have been almost exclusively sold for the second or holiday home market, which does not meet local needs.

All dwellings should be subject to the Second Homes policy.

Neighbours on the west side Old Malthouse Lane will be adversely affected by the height and proximity of new buildings on the east side which are taller and closer than the present buildings on. Will lose privacy.

The transport statement incorrectly states the volume of traffic being based on 20 dwellings whereas parking is also being provided for the 3 additional cottages fronting on to the High Street. Plans should take into account the 2 dwellings which will also use the lane as part of the redeveloped Science block. Traffic movements should be based on 25 dwellings.

The access and visibility splay to the B3069 is inadequate. The last time that data for traffic speeds on the B3069 was collected was 2008 and it should not be assumed that speeds have remained constant. The development is likely

to result in overspill parking. There is insufficient space for the 'turning area' to the North.

The width of Old Malthouse Lane at the south end will be narrowed by the westward moving of the footprint of the buildings at that point. Have not taken into account the car parking spaces on the west side of the lane which will make 2-way movement challenging. More robust Vehicle Impact Assessment and Traffic Management plans are required.

The proposed bin store will create unpleasant smells and potential blocking of other vehicles during use and bin collections.

Will result in the loss of at least 13 trees. Should be more replanting in line with Dorset Council Biodiversity Appraisal Protocol and Dorset Biodiversity Compensation Framework.

Demolition of buildings which are presently bat, swift and house martin roosts is likely to be detrimental to these populations. A special licence is needed. No work to be undertaken between the end of March and beginning of September is an unrealistic promise with such a large development.

Adverse effect on the Langton Matravers Conservation Area. Density is too high. There should be more use of local Purbeck stone and lower roof levels to be more in keeping with the area.

Request that before any development goes ahead, the developers provide a full and robust Construction Management Statement indicating how noise, pollution, vehicle movements and other matters will be managed and mitigated during the construction phase and addresses how these movements will be co-ordinated with contemporaneous developments. This should include a timetable of proposed activities and agreement to minimise effect on neighbours and traffic in the village.

Ask that in line with Dorset Council's climate emergency statement the plans are altered to include solar panels, ground/air source heat pumps or other types of carbon neutral design throughout.

A development of 20 dwellings is a large one within such a small village, especially given that there are also proposals for an even larger development on the south side of the village for 28 houses at Spyway Orchard. Langton has a narrow village street, and is mainly one-track throughout much of its length, owing to parked vehicles. Concerns in particular regarding Highways issues. With the exception of a request for a Construction Traffic Management plan, Mr Graham's formal report on the application (20th January, 2020) does not reflect concerns highlighted by the Council, particularly in relation to the inadequacy of the visibility splay, increase in on-street parking and the need for a Transport Assessment. Council asks that DC organise an independent traffic survey, to include the cumulative impact of both developments, during the construction phase and afterwards, to address issues raised by this Council.

PC comments on revised plans received 23/07/2020

- welcome the many improvements. However, the changes are not sufficient to address many of the Council's previously recorded concerns. Copy of concerns resubmitted.

Summary of Local Representations received

9.2

The application was advertised by means of a site notice displayed on 21/11/2019 and by letters sent neighbours. Third parties were re-consulted of amended plans by letters dated 21/05/2020 and 24/07/2020.

The Council received a total of 30 letters of objection in relation to original and amended plans from 18 neighbours and residents about this planning application. In addition, letters of comment were also received from The Ramblers Association and St. George's CE VA Primary School. The representations are all available in full on the Council's website.

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

- **Principle of development**
 - Do not oppose development in principle.
 - Need for housing recognised.
 - Why exceed the upper limit of the village housing need?
 - Dwelling size ideal as starter homes or second homes. Clause should prevent sale as second homes.
 - All car parking for the development should be within the site and not outside the settlement boundary. Unacceptable in AONB.
 - St Georges Primary School welcomes in principle any development that will bring more pre and primary aged pupils to the school due to falling numbers of children in the village and catchment. However, concerned about absence of affordable housing.
- **Impact of Langton Matravers Conservation Area**
 - Diamond shaped windows are distinctive to Conservation Area and should be retained and installed on all OMHL elevations.
 - Glad that diamond fenestration has been included on amended plans.
 - Consent required for demolition in Conservation Area.
 - Lower density scheme required that is in keeping with Conservation Area.
- **Scale, design and impact on the character and appearance of area**
 - Purbeck Stone must be used for all external walls and grey slate or imitation stone on roofs. Brick, render and cladding should not be allowed. Windows should be consistent with existing character. Should

be finished in gloss white and in upvc or aluminium to prevent deterioration.

- Increased height of development overbearing.
 - Disappointed development is oriented inwards.
 - Houses, carports and bin store along the lane will change character.
 - Ground Source Heating and Grey Water systems should be installed.
 - Number of units should be reduced. Density and parking will appear urban.
 - Old window in side of bin-store should be retained.
- **Impact on the Dorset AONB**
 - Will be abrupt edge with AONB and more gradual edge with lower height buildings is required.
 - Parking along the lane will detract from the character of the area.
- **Impact on neighbouring properties**
 - Building line of Old Malthouse Lane elevation has been extended into the lane and will increase overlooking, loss of privacy, tunnelling effect and overshadowing of neighbours.
 - Building height should be reduced.
 - Obscure glass should be used on windows facing onto Old Malthouse Lane.
 - No Construction Management Plan.
 - Bin Store – nuisance, highway hazard, odour, imposing for existing residents, rodents, flies, light pollution & will not be maintained. Unsafe location for users. Access should be from within site. Are not comforted that store would be managed by a management company. Bin Requirements only provides for 19 dwellings whereas the parking schedule refers to 22 units.
 - Re-siting of bin store is positive but road safety remains issue and access should be from within the site.
- **Tree impacts**
 - Exposed site will hinder establishment of proposed landscaping and tree planting.
 - Biodiversity impacts
- **Highway safety, car parking and impacts on Public Rights of Way**
 - Roadway not sufficiently wide for 2 vehicles to pass. Junction improvements required (and suggested) at junction of OMHL with High Street. Site access not wide enough.

- Old Malthouse Lane is too narrow, poor visibility, used by school parents and inadequate parking restrictions. Safe access for all users required. Should be widened.
 - Pedestrian safety risk along lane and insufficient thought in relation to pedestrian access.
 - Documents ignore private parking spaces to front of 2 & 4 OMHL.
 - Transport document is misleading, underestimates vehicle movements and refers to non-existent turning circle.
 - All parking should be within the site by each unit and provide for electrical charging.
 - Access to designated parking spaces on the lane will become more difficult.
 - No cycle storage areas.
 - Will be on-street parking in lane and High Street.
 - Maintenance of the lane will become more difficult.
 - High Street already very busy and congested and proposal will make worse.
 - Ramblers Association concerned about impact of increased traffic movements on public right of way along the lane.
 - Further additional parking should be provided to the north of the site alongside the playing fields.
 - A Traffic Management Plan is required.
 - During construction, traffic control will be required in front of the School at peak drop-off and pick-up times to ensure pupil safety.
 - Bin-store access door that opens onto the land will cause safety issues.
 - A number of photographs were submitted by local residents demonstrating the narrowness of the lane.
 - Swept Path drawing does not accurately reflect land ownership opposite the site entrance. Car dimensions are inaccurate. Clearly show that two cars cannot pass each other at the entrance and further down the access road. Emphasises dangers for pedestrians and need to move bin store.
 - Slope of site entrance will increase risk to drivers and pedestrians. Ben lorry will block lane for substantial time. How will pedestrians be kept safe then?
 - Impact of proposals on access to driveway of 1 – 4 OMHL has not been assessed in any swept path drawings.
- **Flood risk and drainage**

- Drains were never designed to accommodate surface water from substantial new developments and overflow would threaten existing houses with flooding. Assurance on use from Wessex Water required.
- Concerned that development may exacerbate drainage issues on school playground due to land level differences.
- **Other**
 - Application should be determined by planning committee.
 - Restrictions on educational use. Change of use to housing must be assured.
 - Timing of all new developments in the village needs to be considered in terms of traffic and disruption to residents.
 - Dynamics of village will be changed with all new development.
 - Detrimental impact on Primary School which will be impacted by effects of two proposed development in village. Parents will choose to send their children elsewhere.
 - Formal agreement should be reached with the Primary School and Parish Council over the future use of the playing fields by the local community.
 - Longer term use of adjacent fields and courts by Primary School and Pre School is important and the school continues to work with the Old Malthouse Trust and Cothill Trust in this respect.
 - Applicants have been open with residents and maintained on-going dialogue.
 - Do we need to lose the former school hall facility?
 - There is no guarantee that the area to the north of the site (playing fields etc.) will not form part of future proposals for development. This space should be designated as open space.
- Ask developers to continue informal agreement for School staff parking at the site.

10.0 Relevant Planning Policies

10.1 Purbeck Local Plan Part 1 (2012)

Policy SD: Presumption in favour of sustainable development;

Policy LD: General location of development;

Policy SE: South East Purbeck;

Policy HS: Housing Supply;

Policy BIO: Biodiversity and geodiversity;

Policy DH: Dorset Heaths International Designations;

Policy CF: Community facilities and services;

Policy FR: Flood risk;

Policy D: Design;

Policy LHH: Landscape, historic environment and heritage; and,

Policy IAT: Improving accessibility and transport.

10.2

Emerging Purbeck Local Plan 2018-2034

The emerging Purbeck Local Plan was submitted for examination in January 2019 and public hearing sessions were held in the summer and autumn of 2019. On the 18 March 2020 the Planning Inspector reported back through a Post Hearing Note. She stated that she was reasonably satisfied at this stage that with Main Modifications the Plan is 'likely to be capable of being found legally compliant and sound'. The Inspector's note explains that she will make a final decision on whether the plan is legally compliant and sound after she has considered: responses on Main Modifications following public consultation and an updated Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA). The Inspector indicates that the strategy for meeting the area's needs is sound. Planning Policy officers are making preparations to finalise a schedule of proposed Main Modifications for consultation and updated versions of the HRA and SA.

National planning policy states that councils are entitled to give weight to policies in local plans that are being examined after considering: how far their local plan has progressed through the plan preparation process, any unresolved objections to relevant policies and the degree of consistency between policies in the emerging plan and those policies in the National Planning Policy Framework.

The council has recently received specific direction from the Planning Inspectorate through a report which provides an Inspector's decision on a planning appeal against the imposition of a condition preventing the use of dwellings as second homes in accordance with the requirements of policy H14 of the emerging local plan. The planning appeal was allowed because the Inspector considered that the council had given undue weight to policies in its emerging local plan when taking its decision on the planning application. The council took this decision after receiving the Post Hearing Note relating to the Purbeck Local Plan. Despite the plan's progress through the examination process, the Planning Inspector (who considered the appeal relating to the planning condition) was not persuaded that the Purbeck Local Plan had progressed sufficiently for its policies to be given significant weight in decision making on planning applications.

Officers have reviewed their position on this matter after receiving the appeal decision, and now advise that no significant material planning weight can be given to the policies H14 and I1 in the emerging Purbeck Local Plan when determining the current planning application. The position on the material weight that can be given to policies in the emerging Purbeck Local Plan will change as the local plan progresses further through the examination process. Officers will regularly monitor the plan's progress and advise the Committee through their reports when they consider that

significant material weight can be given to the policies of the emerging local plan when taking decisions on planning applications.

10.03 National Planning Policy Framework:

Section 2: Achieving sustainable development;

Section 4: Decision making;

Section 5: Delivering a sufficient supply of homes;

Section 9: Promoting sustainable transport;

Section 11: Making effective use of land;

Section 12: Achieving well-designed places;

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

Section 15: Conserving and enhancing the natural environment; and,

Section 16: Conserving and enhancing the historic environment.

10.4 **Other material considerations**

National planning practice guidance (PPG) and National Planning Policy Framework (NPPF)

Purbeck District design guide supplementary planning document adopted January 2014.

Dorset AONB Management Plan 2019-2024.

Dorset AONB Landscape Character Assessment & Management Guidance 2008.

British Standard 5837:2012 Trees in relation to design, demolition and construction – recommendations.

The Dorset heathlands planning framework 2020-2025 supplementary planning document adopted 31 March 2020.

Development contributions toward transport infrastructure in Purbeck guidance February 2013.

Dorset biodiversity appraisal and mitigation plan.

Purbeck Strategic Flood Risk Assessment 2018

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

Langton Matravers Conservation area appraisal.

11.0 **Human rights**

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

12.0 Public Sector Equalities Duty

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

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

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

12.2 It is considered that the proposed development, to include current Building Regulation accessibility requirements, would not result in any disadvantage to persons with protected characteristics.

13.0 Financial benefits

What	Amount / value
Material Considerations	
None	N/A
Non Material Considerations	
CIL Contributions	Liability Zero.
Council Tax	£2076.76 per dwelling (based on average Council Tax Band D)

14.0 Climate Implications

The proposal is for 19 new dwellings, all of which will be constructed to current building regulation requirements and which will be serviced by suitable drainage to prevent any additional impact in terms of flood risk that may be exacerbated by future climate change.

15.0 Planning Assessment

The main planning considerations in respect of this application are:

- The principle of development;
- Layout, scale, design and impact on the Langton Matravers Conservation Area;
- Impact on neighbouring residential amenity; and,
- Highways impacts.

These and other considerations are set out below.

Principle of development

- 15.1 The majority of the application site is located within the settlement boundary of Langton Matravers. The northern site boundary extends beyond the settlement boundary by approximately 38m along Old Malthouse Lane and includes areas of existing car parking (provided as informal hardstanding) to the east of the lane. No built development is proposed within this area, with Old Malthouse Lane to remain unaltered and the existing car parking areas to remain as car parking to serve the current proposal. Given that there would be no additional significant harmful impacts on the area of countryside located outside the settlement boundary as a result of the proposed development, the proposed development is considered to be acceptable in principle in accordance with policies SD: Presumption in favour of sustainable development and LD: General location of development of the Purbeck Local Plan Part 1 2012 (PLP1).
- 15.2 The site is a former private school site and outward bound centre and is therefore 'brownfield' or 'previously developed land'. Government guidance in the National Planning Policy Framework (NPPF) encourages and gives substantial weight to the redevelopment of these sites (paragraph 118 NPPF). Concerns are raised by the Parish Council in terms of the loss of a community facility. However, following closure of The Old Malthouse School (C2 Residential Institution) the buildings were subsequently used as a residential outward bound activity / training / private events centre (also C2 Residential Institution). Given the previous uses were business as opposed to community uses, it is not considered that either of the previous uses formed a 'community facility / service' in accordance with the definition in PLP1 (8.10). As such, it is considered that it would be unreasonable to apply the requirements of PLP1 Policy CF to the proposal.
- 15.3 The proposed dwellings would also provide towards the Purbeck area housing supply in accordance with policy HS: Housing Supply of PLP1 which weighs in favour of the application.
- 15.4 The acceptability in principle is nevertheless subject to the consideration of all other material planning issues as set out in more detail in the sections below.

Affordable housing and vacant building credit

- 15.5 Policy AH: Affordable Housing of the Purbeck Local Plan Part 1 requires that sites within Langton Matravers provide 50% affordable housing. Policy AH provides some flexibility for negotiation on the amount of affordable housing to be provided. Policy AHT: Affordable Housing Tenure, says that tenure be negotiated on a site-by-site basis to reflect identified local need.

15.6 In support of this application, the Planning Statement points out that the site is 'previously developed land' and that it contains substantial vacant buildings with an overall reduction in the built development proposed. In accordance with the NPPF paragraph 63 and footnote 28, to support the re-use of brownfield land, where vacant buildings are being re-used or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount that is equivalent to the existing gross floor space of the existing buildings. The existing buildings at the site have a total floor space of approximately 2,136 sq. m. The submitted Vacant Building Credit Report notes that proposed development accounts for 2,091 sq. m. of floor space meaning that the existing buildings are approximately 45sqm larger in floor space than the proposed buildings. The calculations have been reviewed as part of the CIL assessment for the site and are considered to be correct with a 2% margin of error.

15.7 Paragraph 27 of the Planning Practice Guidance on Planning Obligations notes that:

15.8 *"Where there is an overall increase in floor space in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be applied which is the equivalent of the gross floor space of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation."*

15.9 The following calculation is included in the Vacant Building Credit Report and results in a reduction in the requirement for affordable housing to 0%:

Proposed GIAm2	2,091.10
Existing GIAm2	2,136.40
Net Gain GIAm2	-45.30
Credit	102.16%
Reduction on AH%	-2.16%
Policy AH%	50%
Adjusted AH%	0.00%
Proposed Dwellings	20
AH Provision	0

15.10 Objections have been received from the Parish Council stating that the buildings at the Old Malthouse have been abandoned and that the vacant building credit does not therefore apply as set out in footnote 28 of paragraph 63 of the NPPF. Officers have fully considered this argument and disagree with the Parish Council statement. This is because the buildings which were in use as The Old Malthouse School (Independent) until closure in July 2007 were until only recently (August 2018) in a business use as the Old Malthouse Activity Centre. The buildings only became vacant when the business use was closed and the site subsequently sold in

November 2019. The applicants have submitted full evidence in this respect as set out in paragraph 2.6 of their Planning Statement. The buildings have not been abandoned, and although in some disrepair could easily become capable of re-use.

15.11 In their comments, the Parish Council refer to the Court of Appeal judgement in *Hughes v Secretary of State for the Environment 2000* – which sets out that the test for determining whether the use of a building has been abandoned in planning terms is objective with regard to the following criteria:

- *the physical condition of the building;*
- *the length of time for which the building had not been used for the relevant use;*
- *whether it had been used for any other purposes (such as intervening uses); and*
- *the owner's intentions (which is not determinative)*

15.12 In applying the criteria of the test to the current application, the physical condition of the buildings continue to be of a relatively good state of repair; the buildings have only been out of use since August 2018; and, there have been no intervening uses in this period of time. The current owner's intentions to redevelop the site have been clear since initial contact and a pre-application site meeting with the former Development Manager at Purbeck District Council in December 2018 followed by a formal application for pre-application advice in May 2019. Given the limited time period between closure and the current application, during which meaningful pre-application discussion took place, the case officer considers that the buildings have not been abandoned and the application of the Vacant Building Credit applies. There is therefore no requirement for the proposal to include affordable homes on the site.

15.13 Whilst the disappointment expressed in neighbour representations that no affordable housing can be secured is recognised, the application is considered to meet the requirements of Policy AH: Affordable Housing of the Purbeck Local Plan Part 1, the NPPF and NPPG in this respect.

Scale, design and impact on the character and appearance of the area

15.14 The site is located within the Langton Matravers Conservation Area and this is considered further in the historic assets section below.

15.15 Neighbour representations raised concerns about the impact of the proposed development on local character. Following several amendments to the proposed scheme to address concerns relating to the site access, bin store and the design and external appearance of the Old Malthouse Lane elevation, the most recent amendments to the layout, scale and design of the proposal are considered by officers to be acceptable.

15.16 At the front of the site, the existing older section of the school buildings [dormitories] are to be retained. Following a reduction in the number of units proposed from 20 in the original submission to 19, the older section of the building is to be converted into two apartments – a one bed unit at ground floor level and two bed unit at first floor level (units 2 & 3). Minor alterations to existing openings are proposed to widen

several windows, insert a new bedroom window, and provide independent access to each apartment. In addition, a new walkthrough is to be provided between the older building and the new buildings (to replace the more modern part of the existing buildings) to be constructed along Old Malthouse Lane to the north. This addition is considered to be acceptable in design and in providing the opportunity for pedestrians to move through the development to High Street without using the site access further along the lane.

- 15.17 As part of a new build extension to the older school buildings, a 3 bedroom terraced house (unit 4) and a further 7 apartments (units 5 – 11) (1 x 1 bed, 5 x 2 bed & 1 x 3 bed) will be provided to the north in a two storey development extending along the Old Malthouse Lane elevation. The Old Malthouse Lane elevation has been amended through the application process to reduce the height and mass of part of the new element by between 0.5m and 2.4m (as detailed in comparison street scene to Old Malthouse Lane – 18-1004-CO01 P2) and remove overly domestic elevational features that did not reflect the historic commercial use of the site as a brewery. In taking advantage of a drop in ground levels to the east and north, the apartment building turns the corner into the site to provide three levels – lower ground, ground and first floor.
- 15.18 To the rear and north of the apartments, in the remainder of the site, 9 houses (units 13 to 20) and 1 bungalow (unit 12) are proposed in a contemporary courtyard style development. These include a mixture of 3 detached and 6 semi-detached properties. In addition, an existing store / garage of stone construction is to be relocated north of its current position to provide a secure bin-store with car port style garaging below that also takes account of the drop in levels within the site. Low level Purbeck Stone walls will create car parking courtyards that will reduce the appearance of built development within the site and sensitively deal with the gradual reduction in levels from west to east and south to north. Between the courtyards, landscaping and pedestrian passageways will allow access across the site to Old Malthouse Lane and towards the open space and additional parking provision to the north.
- 15.19 Concerns have been expressed by neighbours and the Parish Council over the density of the scheme. The Government's objective is to significantly boost the supply of homes (Paragraph 59 NPPF) and promote an effective use of land (Paragraph 117 NPPF). The application site is approx. 0.5ha in size and with 19 dwellings proposed the density of development would be 38dwph. Officers do not consider this to be overly dense given the tight urban grain of terraced development along many of the more historic roads in the village, including High Street. Both the Design and Conservation Officer and Planning Case Officer have spent considerable time negotiating the current scheme and consider that the higher density courtyard style development is acceptable in this edge of village location, given the relatively high density of development within the surrounding Conservation Area and the proximity of the site to open space within the village and open countryside directly to the north (and accessed by footpath along Old Malthouse Lane).
- 15.20 Neighbours have also noted concerns over particular design details including the need to retain the diamond lattice windows on the older part of the development and the elevation along Old Malthouse Lane and the need to incorporate the use of Purbeck Stone and avoid brick and render finishing. Concern has also been expressed over the design of the bin-store.

15.21 Following further discussion with the applicant, the plans now include diamond lattice windows along the lane elevation, to be re-used where possible from the existing building. Proposed materials and design details are considered to be high quality and locally distinctive and will include traditional materials of Purbeck Stone and timber, Purbeck stone walling, exposed construction elements e.g. beams and stone dressed windows and doors. Given the sensitivity of the site details of all final materials can be agreed by way of condition (Conditions 10 & 11) on the decision notice, including the submission of sample details such as the stone walling detail. Design details include simple and modest property forms, retention of an industrial character along OMHL, low eaves, varied roof scape, and bespoke architectural details throughout the site.

15.22 In conclusion, following a number of amendments to the layout, scale and design of the proposed development, it is considered that the proposal is now acceptable in terms of its impact on the character and appearance of the area.

The impact of the proposals on the significance of the heritage asset, its features of special architectural or historical interest, and its preservation

15.23 The Council has a statutory duty under section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when considering applications. Paragraph 196 of the National Planning Policy Framework (NPPF) advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal use.

15.24 The Council's Design and Conservation Officer (DCO) has been heavily involved in the current proposal from pre-application stage. As a result, a number of amendments have been made to the plans, particularly along the Old Malthouse Lane elevation to ensure that the impact on the Conservation Area is not considered to result in any harm. The submitted Heritage Statement provides a clear understanding of the site and explanation of how the proposed layout and design will both preserve and enhance the Conservation Area setting. In response to ongoing discussions with the DCO and Case Officer, the amended scheme now addresses all concerns raised, particularly in terms of an appropriate scale and mass, the removal of domestic features on the Old Malthouse Lane elevation, an appropriate pattern of roof scape, acceptable pattern of fenestration and openings, and an appropriate rhythm ode development along Old Malthouse Lane. The proposed bin store has been moved and altered in layout to retain as much of the traditional feature as possible, whilst addressing neighbour concerns in relation to access from Old Malthouse Lane.

15.25 The contemporary courtyard development to the north and north-east of the historic buildings has been considered to be acceptable and of a high quality design since pre-application stage when the applicants were advised that a 'pastiche' development would not be supported. In commenting on the most recent amendments the DCO has confirmed that the latest drawings resolve concerns over the Old Malthouse Lane elevation and support is now offered to the scheme. This support is subject to the inclusion of conditions (Conditions 9, 10 & 11) on the decision in relation to the future approval of all new finishes and standard joinery details.

- 15.26 Officers have liaised closely with the Design and Conservation Officer on the proposed scheme and consider that the impact of the scheme results in less than substantial harm to the heritage designation and that any harm caused is at the lower end of the spectrum and is outweighed by the public benefits in accordance with NPPF paragraph 196. The benefits include the comprehensive redevelopment of a sustainable brown field site which may otherwise fall into significant disrepair to the detriment of the significance of the heritage asset.
- 15.27 Due to the sensitive site location within the Conservation Area and the Dorset AONB, detailed hard and soft landscaping plans were requested by officers. The hardscape plan illustrates how the courtyard concept will work being defined by low Purbeck stone walling and including a range of surfacing materials including rolled gravel, flagstones, cobble rumble strips and cobbles appearing natural in appearance. The scheme also identifies open surface water channels and water features throughout the development which will discharge into the SUDS system but will also provide a source of water irrigation (as opposed to individual water butts for each property) and additional landscape features. The soft landscaping plan identifies the trees to be retained within the site together with new tree planting, landscape planting and ground cover planting. Whilst the plans set out key intentions for the site, they do not address the full level of detail that would ordinarily be required e.g. final materials and height of boundaries and species of soft landscaping etc. However, this can be addressed by way of appropriate conditions (Condition 13) on the decision notice.
- 15.28 In conclusion, it is considered that harm to the Conservation Area will be less than substantial and is outweighed by the overall benefits of the scheme. There are no outstanding objections and impacts are considered to be acceptable subject to conditions on the decision notice.

Impact on the Dorset AONB

- 15.29 Areas of Outstanding Natural Beauty have statutory protection in order to conserve and enhance the natural beauty of their landscapes under National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000. Concerns have been raised by neighbours about the impact on the AONB.
- 15.30 Langton Matravers is included within the Dorset AONB and the site location on the edge of the settlement is particularly sensitive in terms of visual impacts. The Dorset Council AONB Team have been consulted on the proposed development and note that the modern 20th century block school buildings that mark the northern boundary of the site forms a dominant 'built edge' and has an awkward visual 'relationship' with adjacent housing owing to its massing. These building adjoin the former school playing fields to the north, with the sports fields acting as a transitional landscape between the built form of the Village and the wider rural valley sides to the north. There are extensive and attractive views northwards from the site towards the Purbeck Ridge.
- 15.31 The application is supported by a Landscape and Visual Impact Assessment (LVIA). This notes that 'the site and Langton Matravers are located on the southern edge of the Corfe Valley Landscape Character Area. The changes on the site will be the alteration to the existing built form of the edge of the village, although generally not prominent within the wider valley setting and not significantly altering the pattern of the built form of the village or extending into the more sensitive rural landscape

around the village. As the sensitivity of the wider valley setting is assessed as high, the degree of effect as a result of changes on the site is therefore assessed as slight'. It also notes that the new development would result in a more legible site layout with higher quality hard and soft landscaping than present. As a result, the effect on the local landscape / village character is considered to be moderate. In terms of views of the site from the north and Purbeck Ridge, the visual impact is assessed as slight to negligible due to existing vegetation and the reduction in mass and scale of the built form within the site. The retention of existing mature trees and new landscaping will continue to screen and soften the site in views from the north. Mitigation included within the scheme, for example, retaining existing opening, low level Purbeck Stone walling, use of local materials and high quality hard and soft landscaping, and specific landscape mitigation are considered to be acceptable and will result in a long-term positive impact on the landscape setting.

- 15.32 In reviewing the submitted LVIA, the AONB Officer notes that she is happy with the judgements included and the range of viewpoints covered. The mitigation proposed in paragraph 9.4 of the LVIA is considered to be acceptable, including the retention of the main central beech tree; planting native broadleaved trees along the northern and eastern boundaries; planting of native trees and specimen shrubs to key areas within the site; amenity planting to provide lower-level landscape structure; and the planting of native and ornamental hedging / native woodland mix near to the north-western boundary of the site. Car parking along the lane within the AONB is pre-existing and its retention is not considered to result in harm. The AONB Officer raises no objection in terms of AONB landscape impacts and the proposal is considered to be acceptable in this respect.

Impact on the living conditions of the occupants of neighbouring properties

- 15.33 The proposed development can be considered in two separate elements in assessing the impact on the amenity of neighbouring properties. Units 2 – 11 of consist of 9 apartments and one house that make up the conversion of the existing school building and the replacement development extending northwards along Old Malthouse Lane (OMHL) before turning the corner at the site access and curving eastwards into the site. Impacts on the neighbouring properties to the west on the lane and to the south along High Street are key for this element.
- 15.34 In terms of the two proposed apartments in the original building, there will be no additional impact in terms of loss of light or outlook. A couple of minor alterations to window size and the insertion of a new first floor bedroom window on the eastern elevation is proposed. Given the lack of habitable windows serving units 2 & 3 in the western elevation, and the previous dormitory use of this section of the building, it is considered that the impact on neighbours on OMHL in terms of privacy and overlooking are acceptable. Similarly, the east facing windows remain largely unchanged from the dormitory layout apart from the new bedroom window. However, this window is small and serves a second bedroom. It will also not result in any additional overlooking / loss of privacy than that which would be experienced by the adjacent lounge window (formerly a bedroom), and impacts are therefore considered to be acceptable.
- 15.35 Units 4 – 11 will be newly constructed replacing the former more modern section of the school building. At first floor level, this section was also previously in use as single and shared dormitory rooms with associated en-suite and bathroom facilities.

At ground floor level, the section included kitchen, dining and office facilities. The replacement of this section with the new house and apartments results in reduction in the scale and mass of development along this part of the lane as highlighted on the Comparison Street Scene plan. This is considered to be a positive alteration in terms of the level of tunnelling, overshadowing and overbearing impacts experienced in relation to the existing building. In addition, the proposed elevation is only two storey with no roof windows or rooflights facing onto the lane, whereas the existing elevation is three storey with overlooking from second floor windows. Again, the proposed buildings are not considered to result in any additional harmful impact in terms of loss of privacy or overlooking of neighbours than would have been experienced under the previous use.

- 15.36 Where the new apartment building follows the access road into the site, a number of habitable windows at lower ground, ground and first floor levels will have an outlook towards the proposed courtyard element of the development to the north and east. Window to window overlooking to the east and north-east is acceptable due to the distances involved (minimum distance of 17.6m to side elevation of unit 12 and 21.8m to unit 13), areas of access and parking courtyards with landscaping in between. Unit 20 to the east is located much closer to the apartment building (aprox. 7m minimum distance between elevations). However, given the off-set of windows, the vehicle access in between, the use of stone walling boundaries, and the positioning of all bedroom windows serving no. 20 on the rear of the property, it is considered that this close in-site relationship is acceptable. To the south, window to window distances of approx. 18 metres are retained between the new apartments and the rear facing windows of cottage on High Street. Given the location of a parking court in between and related landscaping, this is again considered to be acceptable in terms of privacy.
- 15.37 Further north along OMHL, the existing garage / store will be relocated northwards to allow for a widened site access. However, it will remain single storey with no additional impacts to existing. To the north of this, the western elevation of unit 12 and unit 13 beyond will be visible to neighbours on OMHL. However, due to the site level differences, these will again appear as single storey in terms of impact, and will not result in any harmful impacts in terms of overbearing development or loss of privacy. Existing outlook onto the bulky school hall building will be lost, thereby improving the neighbour outlook to the east.
- 15.38 In terms of the contemporary courtyard housing to the north and north-east, this has been purposely designed to prevent direct loss of privacy between properties despite the compact layout. The inclusion of corner windows, angled windows, off-set views, private courtyards, covered external areas and stone boundary walling means that direct window to window overlooking is avoided and each property maintains a level of privacy that is considered to be acceptable. The non-standard design and layout also addresses loss of light and impacts of overbearing development that might otherwise arise from properties in close proximity to each other on a standard estate layout.
- 15.39 The amenity of future occupiers of the new dwellings has been considered by the case officer following pre-application advice that raised concerns about the density of the development and the size of private amenity space for family sized dwellings. Whilst the private amenity space is still considered to be small, it is all fully enclosed and particularly private. In addition, the location of the site on the village edge with

immediate PROW access to the countryside and nearby access to Langton Matravers Recreation Ground is considered to provide suitable alternative options for outdoor recreation opportunities for future residents.

- 15.40 The proposed development is therefore considered to be acceptable in terms of impact on neighbouring amenity and the amenity of the future occupiers of the proposed dwellings.

Tree impacts

- 15.41 The site is covered by the Tree Preservation Order District of Purbeck (The Old Malthouse School No.1, Langton Matravers) Tree Preservation Order 2007' Ref. TPO 332 which includes the application site but also extends to the north to include all of the playing fields. This is an Area TPO made on 29 November 2007 and covers all trees that were present at the time that the Order was made.
- 15.42 There are a number of mature trees within the application site and on its north-eastern boundary with the former school playing fields. The application is supported by an Arboricultural Impact Assessment which considers the effects of the proposed development on the local character of the site from a tree perspective. The assessment identifies that there are no trees within the site of high quality (Category A), five of moderate quality (Category B), and six of low quality (Category C). Of the identified trees, eight are proposed to be removed and three to be retained subject to protection of their Root Protection Areas (T2 – Copper Beech at the centre of the site, T9 – Scots Pine adjacent to car parking and T17 – Crab Apple near T9). The trees to be removed are of low category, poor condition or are small or limited in their size. Three moderate quality trees to be removed are located within the site and will not result in any loss in terms of visual amenity or landscape character. New tree planting is proposed as part of the scheme to enhance local character and compensate for the loss of trees as detailed above. This includes additional planting of 17 structural trees within the site (as set out in the AMS), on its northern and eastern boundaries and at the northern parking area.
- 15.43 The Council's Tree Officer has been consulted on the proposal and notes that the rationale given for the tree removals is acceptable and the specified protection of the remaining trees is appropriate. No objection is raised on arboricultural grounds provided that the development is carried out in accordance with the submitted Arboricultural Method Statement and Tree Protection Plan. This can be dealt with by way of condition on the decision notice (Condition 12). The impact of the proposal on trees is therefore considered to be acceptable in accordance with policy LHH: Landscape, historic environment and heritage.

Biodiversity impacts

- 15.44 The proposed development includes the demolition and conversion of existing buildings, all of which have been out of use since November 2018. The location of the site on the edge of the village adjacent to extensive sports fields and the open countryside means that the application has required a Biodiversity Assessment in accordance with the Dorset Biodiversity Appraisal. A Phase 1 & 2 Bat Survey has been submitted with the application and this notes the evidence of bats in two roof voids of the old building and potential for crevice dwelling bats in gaps under the eaves and around the roof. A number of house martin nests were also noted around the building. Further dusk emergence and dawn re-entry surveys were undertaken on each building and confirmed bat

roosting in the old school building, one of the modern buildings and the garage. A European Protected Species licence will be required from Natural England in respect of works to these buildings and a Biodiversity Mitigation and Enhancement Plan (BMEP) has been submitted to the Council.

- 15.45 The BMEP identifies the presence of bats, house martins and swifts at the site. Alternative temporary replacement roosts and permanent roosts are detailed including two dedicated bat lofts. Additional mitigation including the installation of bat bricks, tubes and boxes in the walls of the new dwellings is also proposed. External lighting is proposed to be kept to a minimum, and whilst details are not provided in the BMEP, this can be dealt with by way of condition (Condition 16) linked to the implementation of the approved Plan. Further details including the timing of works, monitoring of the site and the overseeing of all licensed works by a licensed ecologist is also included. In terms of other mitigation, the BMEP sets out the installation of House Martin nests, Swift boxes, Swallow nest cups and bee bricks as part of the development.
- 15.46 The BMEP was approved by the Dorset Council NET Team on 17th September 2020 and the proposed development is therefore considered to be acceptable in terms of biodiversity impacts on protected species.
- 15.47 In accordance with the ruling of ECJ C-323/17 People Over Wind, Sweetman v Coillte Teoranta, Natural England have advised the Council that the Council needed to undertake an Appropriate Assessment (AA) in accordance with Regulation 63. The AA is to enable full consideration of the proposed development and any likely adverse effects on the integrity of European and internationally designated Dorset Heathland sites and recreational pressures on Poole Harbour, which may remain in avoidance / mitigation measures are carried out as proposed. An AA has been undertaken in advance of the planning application being determined by the Council. This shows, that suitable mitigation measures will address the likely adverse effects of the proposed development on the integrity of heathland sites and recreation pressures on Poole Harbour. The proposal is therefore acceptable in this respect.
- 15.48 Separately to the Habitat Regulations Assessment requirements, the proposed development is also subject to the Environmental Impact Assessment (EIA) Regulations 2017 due to its location within a 'sensitive area' – the Dorset AONB. An EIA screening opinion, in accordance with the Environmental Impact Assessment Regulations 2017, has been undertaken by the Case Officer in respect of the proposal. This opinion concludes that the development is not considered to be EIA development and that the provision of detail at planning application stage, and the application of adopted planning policies, can ensure that any environmental effects resulting from the proposed development can be minimised.

Highway safety, car parking and impacts on Public Rights of Way

- 15.49 The application site is accessed via Old Malthouse Lane, a private land that adjoins High Street to the south and extends northwards to outlying houses. Old Malthouse Lane is largely within the ownership of the applicants, although there are a number of areas that have been sold off separately with earlier residential developments along the land and now fall within the ownership of the neighbouring properties, for example, private car parking spaces to the front of 3 & 3 Old Malthouse Lane.
- 15.50 The Parish Council and neighbour representations have raise many concerns in relation to highway safety including the impact of additional cars on pedestrian and

vehicles safety, the inability for two cars to pass at certain parts of the lane, impacts on parked cars and congestion along the lane, highway safety at the junction with High Street and safety at the site access junction with old Malthouse Lane.

Comments are also made in relation to the submitted Transport Assessment being incorrect. In response to concerns raised, the applicants have recently amended the site plan to widen the site access at the junction with Old Malthouse Lane and have also submitted 'swept path drawings' to indicate how vehicles will be able to manoeuvre into the site.

15.51 The Council's Highway Engineer has been consulted on all of the information and has also been forwarded additional information and photographs provided by local residents. In considering all of this information the Engineer notes that it is important to note that the application is for the redevelopment of buildings and grounds that have had a variety of uses over many years, each generating their own vehicular trips, that in theory could be utilised within their use class. And, for the educational use, the vehicular trips could be significantly higher than the proposed 19 residential units. It is also noted that whilst the applicants have submitted a Transport Assessment for consideration by the Council, the size of development does not require one.

15.52 In terms of visibility at the junction of OMHL and High Street, in his response the Council's Engineer notes that this particular section of High Street has an unusual bulge in it which helps with visibility by creating splays each side due to the vehicle track line of passing vehicles being further from the dropped kerbs across the access. In addition, approved traffic calming in the form of a raised platform and footpath widening across High Street between Langton Matravers Primary School and the playing fields opposite (in association with planning application 6/2020/0167) which has now been installed, further acts to calm the traffic near the Old Malthouse Lane junction. The Highway Engineer considers that the proposals do not represent any material harm to the transport network or highway safety and has raised no objection to the proposal subject to conditions relating to estate road construction and the approval of a construction traffic management plan prior to commencement of the development (Conditions 17 & 18). Traffic regulation orders for revised road markings could be requested by the Parish Council should these be considered necessary in the future.

15.53 In order to address neighbour concerns in relation to the passing of cars at the junction of the site access with Old Malthouse Lane, and implications for vehicles parked in private parking spaces opposite, the applicants have submitted a number of Swept Path Analysis drawings. The Council's Highway Engineer has considered the drawings which have been prepared by transport consultants and notes that the development continues to be considered acceptable, especially given the minor improvements now made, and no further comments are raised as additions to previous. The proposed development is therefore considered to be acceptable in terms of highway impacts.

15.54 In terms of car parking provision, the submitted parking schedule and plan includes a total of 38 spaces for both the proposed development of 19 units (including visitor spaces). In summary, the following levels of parking are provided:

- Total provision – 35 spaces
- 19 units – 1 allocated space each

- 12 unallocated spaces
- 4 visitor spaces
- Average provision of 1.8 spaces per unit.

- 15.55 The above car parking provision (as detailed in the submitted schedule and parking plan) has been assessed against the Dorset Residential Car parking Study calculator which confirms that where 19 allocated spaces are proposed at one space per dwelling, then an unallocated parking requirement of 10 spaces is required together with 4 visitor parking spaces. As the proposed provision of unallocated parking spaces exceeds the calculator requirement by 2 spaces, the proposed car parking provision for 19 dwellings is considered to be acceptable and in accordance with the County Parking Guidance. In addition, the car parking plan includes three parking spaces for cottages that front onto High Street. Whilst this provision may have formed part of the sale contract for each of these properties, it will reduce pressure for on-street parking along High Street and is considered to be a positive addition.
- 15.56 The proposed scheme does not include any dedicated cycle parking provision as there is space within the amenity area of each of the 10 houses for cycle storage. In the absence of a policy that requires cycle parking provision to serve the development, Officers consider that it would be unreasonable to require specific provision as part of the scheme to serve the apartments, particularly as the Highway Engineer has raised no objections on parking or cycle parking grounds.
- 15.57 In terms of other issues raised in neighbour representations, whilst Officers acknowledge requests for the installation of electric charging points as part of the scheme, there are again no adopted policies in PLP1 that require such installations as part of current applications. In the absence of an adopted policy, it would again be considered unreasonable to request such provision as part of the current scheme. Finally, in terms of the current parking provision for staff of St George's C of E Primary School, the applicants have confirmed in writing that they continue to work closely with the school and its head teacher and will continue to accommodate school staff parking (as agreed by the previous site owner) within the wider site ownership of some 5.9ha.
- 15.58 A Public Right of Way passes through the application site along OMHL – footpath SE 16/44. Consultation has taken place with the Council's Rights of Way Officer who has confirmed that she has no objection to the proposal providing that throughout the duration of the development and in the future, the full width of the public right of way must remain open and available to the public, with no materials or vehicles stored on the route and the surface of the Rights of Way must be maintained. Two standard informative notes can be included on the decision notice in this respect (Informative Note 23). In conclusion, the parking provision is sufficient to serve the development and the access will not result in highway safety issues in accordance with policy IAT: Improving Accessibility and transport.

Flood risk and drainage

- 15.59 The application site lies within Environment Agency Flood Zone 1 and is at low risk of fluvial flooding. It is also outside areas of known theoretical surface water flood risk. However, the proposed development must be able to deal with its own surface-water run-off to ensure that flood risk is not increased within the application site or surrounding areas. As the development is over 10 dwellings (classed as major), it is

also required to be supported by a drainage strategy that is in accordance with the National Planning Policy Framework (NPPF).

- 15.60 The planning application is supported by relevant drainage details including a site-specific Surface Water Design & Maintenance Plan (SWDM), Surface Water Drainage Layout Plan, Drainage Construction Details Drawing, and details of two Surface Water Drainage System Designs. The Local Lead Flood Authority (LLFA) was consulted on these details and noted that whilst the SWDM document outlined the existing drainage arrangements and presents a conceptual drainage strategy as two options (i.e. Systems A & C), pending adequate assessment of ground conditions and relevant infiltration rates, the LLFA retained concerns on the basis of the assumptions made in respect of ongoing discharge to the adjacent highway and receiving sewer system/s. As a result, a holding objection was made pending the submission of further details (including adequate ground investigation and soakage testing and consultation comments from Wessex Water) for approval.
- 15.61 Later comments received from Wessex Water confirm that the existing drainage regime for the front roof areas of retained buildings fronting High Street and Old Malthouse Lane is to remain. Rear roof areas of retained buildings are to be re-directed to a new separate surface water system. In the absence of infiltration methods (as identified in the LLFA response), Wessex Water notes that the contingency strategy proposes connection to the public surface water sewer. This is considered to be acceptable whether other drainage methods are unviable, and subject to an agreed discharge rate.
- 15.62 Following the response from Wessex Water, further consultation took place with the LLFA and who note Wessex Water's identification of their obligation to existing drainage infrastructure and their in-principle agreement to the contingency arrangement provided by the applicants should subsequent ground investigation and soakage testing not support the (preferred) method of infiltration at the site. On this basis, the LLFA has withdrawn their holding objection subject to the inclusion of two conditions on the planning decision requiring (i) a detailed surface water management scheme for the site and, (ii) details of maintenance and management of the surface water sustainable drainage scheme (Conditions 7 & 8).
- 15.63 In terms of foul drainage, Wessex Water has provided guidance to the applicants and have confirmed their agreement to a connection to the local public foul sewer network from the proposed development. A surface water sewer in Old Malthouse Lane is suitable for connection subject to the provision of proof of connectivity between the sewer and a private manhole in the applicant's ownership. The developer will be required to demonstrate satisfactory hydraulic capacity and condition of the private sewer to Wessex Water. Nevertheless, the details provided by Wessex Water do not raise an objection to the proposed development.
- 15.64 In summary, the proposed development is considered to accord with Policy FR: Flood Risk and is acceptable in terms of both surface water and foul water drainage.

Waste Service Provision

- 15.65 The proposed scheme has included a site bin storage area since pre-application stage to ensure that impacts of individual bins and external bin storage does not result in harmful impacts on the character of the Conservation Area. In response to objections from neighbours, the bin store has been slightly re-located to provide for a wider site access, has been provided a side access, and has also been altered in

design to more closely reflect the existing simple Purbeck Stone garage / store on the lane. The case officer also requested that the applicants demonstrate that the bin store was of a sufficient size to provide the capacity required for recycling, food and general waste in accordance with Council guidelines. This has been demonstrated through the submission of a bin requirement assessment and bin store layout plan that demonstrates that there is sufficient room for the capacity of bins required, and also to allow the bins to be manoeuvred on collection day. Given that the requirements have been fully met, the level of waste provision is considered to be acceptable. In addition, the retention of a simple elevation onto the lane, with a side access for residents is also considered to address neighbour concerns relating to the visibility of bins and the access doors opening and closing. The applicants have confirmed that the bin store will be managed by a site management company and whilst details are not necessary for the determination of the application, it is considered that suitable maintenance and management will minimise any likely harmful impacts e.g. loose rubbish, odours and bin clutter. The waste service provision is therefore considered to be acceptable.

Other considerations

- 15.66 The Parish Council and local representations emphasised the perceived need for a condition to be imposed to prevent the future occupation of the proposed dwellings as second homes. This would accord with policy H14 of the emerging Purbeck Local Plan.
- 15.67 In accordance with Paragraph 48 of the NPPF, the Council previously considered that weight could be given to emerging policy H14 for new dwellings, and between 20th April 2020 and 11th September 2020 a condition was applied to all planning approvals for new dwellings in the Purbeck area AONB (excluding applications for replacement dwellings where additional justification is required).
- 15.68 However, as set out at paragraph 10.2 of this report and detailed in the appeal summary also within the Committee report pack, the recent appeal decision against the Council's imposition of a second homes restrictive condition and award of costs against the Council has altered the advice provided by Planning Policy Officers. No weight can currently be given to policy H14 of the emerging Purbeck Local Plan so a condition preventing the future occupation of the dwellings as second homes would not accord with the Local Plan in force and would not be reasonable or necessary as required by NPPF para 55.
- 15.69 The emerging Purbeck Local Plan also includes Policy I1 that sets out requirements for developer contributions to deliver Purbeck's infrastructure. In light of the appeal decision and updated policy advice, Officers consider that emerging policy I1 also has insufficient weight to reasonably and necessarily require the stated contributions towards Education provision.
- 15.70 Other issues raised by neighbour representations about the use of the adjacent fields and courts and their future development are not material considerations for the application under consideration.

16.0 Conclusion

The proposed development accords with local and national planning policy. It is considered to be acceptable in principle, of an appropriate layout, scale and design, and also in terms of impacts on the Langton Matravers Conservation Area and the Dorset AONB. The impact on neighbouring amenity and highways impacts are considered to have neutral impacts given the previous uses of the site and impacts such as flood risk, biodiversity and trees are all considered to be acceptable. The proposed dwellings will make a positive contribution to the local housing supply. Approval is recommended subject to relevant conditions as set out below.

17.0 Recommendations

17.1 To **grant** planning permission subject to the following conditions:

1. The development must start within three years of the date of this permission.

Reason: This is a mandatory condition imposed by Section 91 of the Town and Country Planning Act 1990 to encourage development to take place at an early stage.

2. The development permitted must be carried out in accordance with the following approved plans and documents:

Site Location Plan 18-1004-LOC P1; Proposed Site Plan (colour) 18-1004-SLO1 P5; Proposed Hardscape 18-1004-SL01.h P5; Proposed Soft Landscape 18-1004-SLO1.sl P5; Proposed site cross section A - A 18-1004-SO1 P2; Comparison cross section A - A 18-1004-CO02 P2; Old Malthouse Lane Street Scene Elevations and Flat Elevations 18-10040.BF.e1 P2; Comparison Street Scene - OMH Lane 18-1004-CO01 P2; Malthouse Topographical Survey 2D Scaled Rev D Model; Units 2 - 11 Ground Floor Plans 18-1004-BF.p1 P2, First Floor Plan 18-1004-BF.p2 P2 and Elevations 18-1004-BF.e2 P2; Unit 12 - Floor Plan 18/1004-U12.p-P1 and Elevations 18/1004.U12.e-P1; Unit 13 - Floor Plan 18/1004.U13.p-P1 and Elevations 18/1004.U13.e1-P1 & 18/1004.U13.e2-P1; Units 14 & 15 Floor Plan 18/1004.U14&15.p-P1 and Elevations 18/1004.U14&15.e1-P1 & 18/1004.U14&15.e2-P1; Units 16 & 17 Floor Plan 18/1004.U16&17.p-P1 and Elevations 18/1004.U16&17.e1-P1 & 18/1004.U16&17.e2-P1; Units 18 & 19 Floor Plan 18/1004.U18&19.p-P1 and Elevations 18/1004.U18&19.e1-P1 & 18/1004.U18&19.e2-P1; Unit 20 Floor Plan 18/1004.U20.p-P1 and Elevations 18/1004.U20.e1-P1 & 18/1004.U20.e2-P1; Bin Store & Car Port Floor Plan 18-10040CB.p P4 and Elevations 18-1004-CB.e P2 & 18-1004-BF.e1 P2; Parking Schedule 18-1004-PS.01; Parking Allocation Plan 18-1004-PAP01 P1; Accommodation Schedule 18-1004-AC01 Rev A; and Waste Bin Requirements 18-1004-BR01.

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

3. Despite the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Classes A, B, C and E, except for wooden sheds and greenhouses, and Schedule 2, Part 2, (or any order revoking and re-enacting that Order with or without modification), no further development, including material changes to the shape and appearance of windows, and the carrying out of building, engineering or other operations will

be undertaken within the application site without first obtaining planning permission from the Council.

Reason: In the interest of neighbour amenity and to retain the visual amenity and townscape character of the area including the Langton Matravers Conservation Area.

4. 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:

- No bonfires to be held on site at any time.
- Hours of demolition and construction are to be limited to Monday – Friday 0700 – 1900; Saturday 0900 – 1300; and no activity on Sundays or Bank Holidays. If there are to be any proposed deviations from these hours, please contact Environmental Health to discuss these.
- Start up and movement of vehicles / equipment etc. will be limited to 30 minutes prior to the hours of construction only.
- To minimise disturbance, broadband alarm or video shall be fitted to works vehicles instead of the conventional beepers when reversing.
- Activities which may give rise to dust shall be controlled, as far as practicable, to minimise dust emissions. This must include controlling dust from regularly trafficked road areas. Dust suppression may be achieved using water and locating equipment and machinery, away from residential areas.
- At all times, a contact telephone number shall be displayed on site for members of the public to use to raise issues. A named person will also be provided to Environmental Health in order for contact to be made should complaints be received.
- Any waste arising at the site shall be appropriately segregated and controlled prior to its removal by an appropriately licensed contractor. Any waste arising from the activity which could potentially be contaminated in any way shall also be segregated again, and removed appropriately. Environmental Health must be informed if this occurs.
- The use of any radio / amplified music system on site must be kept at a level not to cause annoyance to noise sensitive premises beyond the boundary of the site.
- Any future sub-contractors to the site shall be made aware of, and comply with any guidelines/conditions relating to site management of emissions of noise, dust, smoke, fumes etc. made in as part of the determination of this application.
- Letter drops to adjacent residents in close proximity should be considered as part of the Demolition / Construction phase to give a minimum of 48 hours' notice of any exceptional activities proposed.
- Details of site safety and security including the storage of plant and materials used in the demolition and construction of the development.

The development must be carried out strictly in accordance with the approved CEMP.

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

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
- 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 routes 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. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is occupied.

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

7. No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented 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 future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

8. Before they are installed, detailed drawings of all new windows/internal/external doors and their openings must be submitted to and approved in writing by the Council. Such drawings will be to a scale of not smaller than 1:10 and will include 1:5 scale sections through all main joinery and glazing components to include standard window details of the head, cill and jamb. The development must be completed in accordance with the approved details.

Reason: To ensure that these details are in keeping with the character and appearance of the Conservation Area.

9. The manufacturers name, product name and colour of all external facing and roofing materials (to include roof tiles, stone, pointing etc.) must be submitted to and approved in writing by the Council before they are used on the proposal. The development must then be implemented using the approved materials.

Reason: To ensure that these details are in keeping with the character and appearance of the Conservation Area.

10. Before the construction of any external walling starts a sample panel of all proposed Purbeck dry stone walling and all external walling and pointing must be completed, inspected and agreed in writing by the Council. This must clearly demonstrate the mortar mix/pointing profile/coursing/finish to be used. The panels must remain on site during construction works. The development must be built in accordance with the agreed sample panels.

Reason: To ensure the satisfactory appearance of the development in the interests of the character and appearance of the Conservation Area and the Dorset AONB.

11. All works impacting on the retained trees during the demolition and development and all proposed tree planting must be carried out as specified in the approved Arboricultural Method Statement, reference 19172-AA-PB and the Tree Protection Plan, reference 19172-BT2, both dated 17/10/19.

Reason: To prevent trees on site being damaged during construction works.

12. No development must take place until the Council has approved a detailed scheme of landscaping. This needs to include

- i. A landscape proposals plan showing full details of the hard landscape including the product name and colour of all surfacing and paving, the product name, colour and height of all walls, fences and other structures, and any external lighting.

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

The development must be carried out strictly in accordance with the approved landscaping scheme.

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

13. The soft landscaping works detailed in approved Proposed Soft Landscape 18-1004-SLO1.sl P5 and agreed in accordance with condition 13 must be carried out during the first planting season (October to March) following the first occupation of any of the buildings. The planted scheme must be maintained in accordance with the agreed details.

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

14. Any trees or plants of the approved landscape scheme which within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, must be replaced in the next planting season with others of similar size and species, unless the Council gives written permission to any variation.

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

15. The development must be carried out and maintained in accordance with the approved Biodiversity Mitigation and Enhancement Plan dated 9th September 2020 and agreed by Dorset Council on 17th September 2020 unless subsequent variation is agreed in writing with the Council.

Reason: To ensure the adequate protection of a species and its habitat protected by law that exists on the site.

16. The hard surfacing/paving, walls, fences and other external structures, detailed in the approved Proposed Hardscape Plan 18-1004-SL01.h P5 must be carried out before the first occupation of any of the building.

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

17. Before the development is first occupied the access, geometric highway layout, and turning areas as shown on Proposed Site Plan Drawing Number 18-1004-SL01 P5 must be constructed. Thereafter, the access and turning areas must be maintained, kept free from obstruction and available for the purposes specified.

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

18. Prior to the occupation of each unit the parking provision detailed on Parking Schedule 18-1004-PS.01 and shown on Parking Allocation Plan 18-1004-PAP01 P1 must be constructed and made available for use, unless otherwise agreed in writing by the Planning Authority. Thereafter, the parking areas must be maintained, kept free from obstruction and available for the purposes specified.

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

19. Before the development is occupied or utilised the Bin Store shown on Bin Store & Car Port Floor Plan 18-10040CB.p P4 and Elevations 18-1004-CB.e P2 & 18-1004-BF.e1 P2 must be constructed and full bin capacity provided, unless otherwise agreed in writing by the Planning Authority. Thereafter, the

Bin Store must be maintained, kept free from obstruction and made available for the purpose specified.

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

20. Before any of the new dwellings are brought into use, the bathroom and en-suite windows of all units must be glazed with obscure glass to a minimum Pilkington privacy 3, or equivalent as agreed in writing with the Council. Thereafter, the windows must be maintained in that condition:

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property.

Informative Notes:

1. Informative Note - Natural England. Attention is drawn to the special protection given in law (for example, under the Wildlife and Countryside Act 1981 (as amended), the Habitat Regulations and the Protection of Badgers Act 1992) to particular plants and animals that may be present within the application site. The grant of this planning permission does not override any relevant statutory species protection provision contained within such legislation.
2. Informative Note - The safe 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 above path 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. This application and legal order must be confirmed before any works obstructing the path are commenced.

Any damage to the surface of the footpath attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980.
4. Informative Note - If you are demolishing a building over 50m³ you must submit a Section 80 - Demolition Notice to the Council's Building Control Team. Applications can be made online at <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-buildings-and-land.aspx?folderIds=5542,16721> or telephone 01929 557280
5. Informative Note - Matching Plans. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.
6. Informative Note - Community Infrastructure Levy. This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. The development is CIL liable but no liability notice has been issued as the liability amounts to zero.
7. Statement of positive and proactive working: In accordance with paragraph 38 of the National Planning Policy Framework, the Council takes a positive and

creative approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

For this application: pre-application advice was provided; the applicant/agent was updated of any issues after the initial site visit; the opportunity to submit amendments to the scheme/address issues was given which were found to be acceptable; the application was approved without delay.

Background Documents:

Case Officer: Cari Wooldridge

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

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

