

## REPORT SUMMARY

<b>REFERENCE NO.</b>	3/19/2378/FUL
<b>APPLICATION PROPOSAL</b>	Change of Use and Conversion of Four Existing Agricultural Buildings to form 9 Dwellinghouses, Works and Alterations to other Outbuildings and Associated Landscaping and Demolition of Redundant Buildings As amended by plans rec'd 17/7/20 to revise window sizes and positions on Unit D; show provisions for refuse collection and add a parking space.
<b>ADDRESS</b>	Grange Farm, Colehill, Wimborne, Dorset, BH21 4HX
<b>RECOMMENDATION</b>	Grant, subject to conditions: (see Section 9 of the report for the full recommendation)
<b>REASON FOR REFERRAL TO COMMITTEE</b>	At the request of the nominated officer in light of the policy considerations, concerns raised by the Parish Council and the Ward Member's request that the application be referred to the committee.
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• The application will contribute to housing supply which is currently below the 5-year housing land supply levels.</li><li>• The proposal is considered to go beyond preserving the openness of the Green Belt as it would increase openness at the site.</li><li>• The potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.</li><li>• The proposal has an appropriate layout and design and would not have an adverse impact on the character and appearance of the area</li><li>• There is not considered to be any significant harm to neighbouring residential amenity and the occupants of the proposed dwellings would enjoy an acceptable standard of amenity.</li><li>• The proposal would not have an adverse impact on road safety and the access proposed and on-site parking provision are acceptable</li><li>• The proposal would provide appropriate mitigation for its impact on biodiversity and biodiversity enhancement would be provided</li><li>• With appropriate ground investigation, any contamination present on the site from former uses would be identified and mitigation can be required by condition</li><li>• Other issues raised by consultees have been assessed and there are not any which would warrant refusal of the application. The adverse impact from the proposal would not significantly and demonstrably outweigh the benefits of the scheme</li></ul>
<b>INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL</b>	<p><u>The following are considered to be material to the application:</u></p> <p>Contributions to be secured through CIL: Given the floor space of the buildings to be</p>

demolished exceeds that of the additional first floor space to be created in Buildings B, C & D, there is no CIL payable as the proposal would benefit from mandatory relief from CIL.

The following are not considered to be material to the application:

Estimated annual council tax benefit for District: £15,277

Estimated annual council tax benefit total: £20,502

Estimated annual new homes bonus per residential unit, per year (for first 4 years): £1,000 approx. (NB. based on current payment scheme, the assumption that the 0.4% housing growth baseline is exceeded and assuming this baseline is reached through the delivery of other new homes)

<b>APPLICANT</b>	Gaunts Estate	<b>AGENT</b>	Mr Adam Bennett
<b>WARD</b>	Stour and Allen Vale	<b>PARISH/ TOWN COUNCIL</b>	Holt
<b>PUBLICITY EXPIRY DATE</b>	7 August 2020	<b>OFFICER SITE VISIT DATE</b>	21/8/20
<b>DECISION DUE DATE</b>	29 January 2020	<b>EXT. OF TIME</b>	N/A

#### RELEVANT PLANNING HISTORY

Application	Proposal	Decision	Date
3/20/0558/PNAGD	Convert Agricultural Building into C3 Residential Dwelling ( <b>Unit B</b> )	Approved	3/6/20
3/19/2300/PNAGD	Convert an existing agricultural building into a two bedroom single storey dwelling ( <b>Unit B</b> )	Refused	27/12/19
3/19/1735/PNAGD	Prior notification of proposed new access road (access to west of site)	Non-determination	
3/19/1652/PNAGD	Change of use of existing agricultural building to a C3 dwelling ( <b>Unit C</b> )	Non-determination	
3/19/1651/PNAGD	Change of use of an existing agricultural building to three C3 dwellings ( <b>Unit A</b> )	Non-determination	

The units to be provided in Buildings A and C were the subject of recent prior notification applications for the conversion of agricultural buildings to 3 dwellings and 1 dwelling respectively. These gained prior approval due to the non-determination of applications 3/19/1651/PNAGD and 3/19/1652/PNAGD. Building B was determined

with a prior notification approval under application 3/20/0558/PNAGD.

The prior approval permission and the non-determined prior approval applications (which may go ahead provided they are undertaken in accordance with the procedure in the Town & Country Planning (General Permitted Development) Order 2015 (as amended)) are relevant in the determination of the current application.

## **1.0 APPLICATION SITE AND ITS SURROUNDINGS**

1.1 The application site is located in a rural area, outside of any recognised settlement in the Christchurch & East Dorset Core Strategy (CS). The site is situated within the area designated as South East Dorset Green Belt, is within 5km of internationally protected Dorset Heathland (Holt and West Moors Heath SSSI) and lies some 500m to the NE of the nearest part of the Village Infilling Area at Furzehill which is the nearest land identified for new housing in the Christchurch & East Dorset Core Strategy (CS).

1.2 The application site is relatively level. It has an agricultural use. The site measures approximately 0.49 hectares in area and contains several agricultural buildings in various states of repair and dereliction. Vehicular access to the site from the south also serves a small number of dwellings. At the time of the officer site visit some buildings on site were in use for limited storage of farming implements or machinery with other structures derelict, missing roofs and/or walls with only skeletal elements remaining. There was no evidence of livestock, hay or similar in any of the buildings.

1.3 The application site has a number of other buildings and structures, some derelict, which are to be demolished.

1.4 The existing site plan shows the position of the various buildings including buildings C1 & 2 and D1 to D5 to be demolished. At the time the application was originally made there was a building attached to the north side of Unit D and there are some remains of it on site. This has degraded since the application was submitted, with the cladding being lost and only the steel rings remaining in places.



1.5 The site lies outside a defined settlement, it is not well-served by public transport and the site is not close to services and facilities and it is highly likely that occupants of the proposed dwelling would be reliant on private cars to access employment facilities and services.

1.6 Buildings at the site have no historic merit and are not considered to be Heritage Assets.

1.7 The submitted Design & Access Statement (DAS) advises that the application site forms part of a larger estate. Gaunts Farm is one of several agricultural holdings within the vicinity in the ownership of the Gaunts Estate.

1.8 Structural Surveys submitted as part of the application, identify the form and condition of the structures (A-E) to be retained, converted or demolished and advise as follows:

#### Unit A

*'Open fronted, single storey shed with footprint approx. 57m x 8m and 2.8m to eaves. Block masonry gables at each end and a block cross wall about 19m from the south end. Pitched roof with steel trusses and a central ridge. The trusses support timber purlins and asbestos cement roof sheeting. The trusses bear on steel posts and the rear (West) wall is of concrete blocks built between the posts. Steel uprights are bolted to concrete pad foundations at the front of the building.'*

### Unit B

*'Unit B is a Steel framed shed Approx. 12m x 12m and 4.0m to eaves with an offset ridge running north/south. The roof over the eastern side of the building is pitched with a central ridge running north/south. This part of the building is about 7.0m wide. The remaining 5.0m on the west side of the building is covered by a lean to roof at a shallower pitch.*

*The roof covering is asbestos cement sheeting on softwood purlins. The west side lean to purlins are supported on monopitch timber rafters and the pitched eastern side is supported on simple timber trusses. The framing below eaves level consists of steel posts and beams with angle sheeting rails and corrugated metal cladding and a block wall about 1000mm high set between posts around the perimeter. The south end of the lean-to section is open and there is a personnel door at the south east corner.*

*The ground floor consists of a concrete slab of unknown thickness, without regular joints and believed to be unreinforced.'*

### Unit C

*'Open fronted, single storey portal framed shed approximately 23m x 12m and 3.1m to eaves. It has block masonry walls at each end and to the rear (North side). The roof is pitched at about 23 degrees with a central ridge. It has a steel portal with steel purlins supporting asbestos cement roof sheeting. The concrete blocks of the rear wall are built between the posts. There is also steel bracing. The masonry end walls extend to eaves level and the triangular gables are clad in asbestos cement sheeting. Diagonal bracing in the roof provides longitudinal stability.'*

### Units D & E

The agent has confirmed that Unit E is the pitched roofed building and 'Unit D' is the barrel-vaulted roofed corrugated metal covered structure which has partly collapsed and is proposed to be removed (attached to Unit E). The agent advises that Unit D is not structurally suitable for retention and conversion. Unit D is shown in the photo below for clarity.

The building being retained and converted is 'Unit E' on the existing site plan and shown as 'Unit D' on the proposed site plan which is confusing. However, the drawings clearly identify which building is being removed, and the structural report deals in full with Unit E (proposed Unit D) to be retained and converted.



*‘Existing Unit E (proposed Unit D) is a steel framed shed, rectangular on plan and open on 3 sides. It is linked to the adjacent Unit D on the East side by a monopitch roof which will not be retained in the proposed development. Unit E (proposed Unit D) measures approximately 23m x 9m and is 4.5m to eaves. The roof is pitched and gabled with a central ridge running north/south and steel trusses supported at each end on posts.’*

*‘Unit E (proposed Unit D) has an asbestos cement sheet roof on steel angle purlins. The west side is partially sheeted on steel cladding rails with concrete panel infill walls below. The ground floor consists of a concrete slab of unknown thickness, without regular joints and believed to be unreinforced.’*

## **2.0 PROPOSAL**

2.1 The proposal is to convert the buildings referred to as Units A, B, C & E into a mix of 2, 3 and 4 bed dwellings. Unit E (proposed Unit D) is to be extended on its eastern side as the attached Unit D is to be removed. Other buildings proposed for conversion to residential will not be extended;

### **Proposed Unit A (Units 1, 2 & 3)**

- 3 x 2 bed dwellings each with 96 sq metres floor space.  
Materials: steelwork/timber cladding for walls; clay tiles with roof lights and light grey window frames and doors (aluminium)
- **Proposed Unit B (Unit 6)**  
1 x 4 bed dwelling of 205 sq metres floor space.  
Materials: steelwork/timber cladding for walls; metal roof with roof lights and light grey window frames and doors (aluminium)
- **Proposed Unit C (Units 4 &5)**  
2 x 4 bed dwellings of 176 sq metres floor space.  
Materials: steelwork/timber cladding for walls; metal roof with roof lights and light grey window frames and doors (aluminium)
- **Proposed Unit D (units 7,8 &9)**  
2x 3/4 bed dwellings of 157 sq metres floor space

The extension would be single storey with catslide roof and footprint of approx. 138 sq metres.

Materials: timber cladding/face blockwork for walls; metal roof with roof lights and light grey window frames and doors (aluminium)

2.2 Buildings A, B & C benefit from Prior Approval for conversion to residential use (subject to compliance with all other permitted development criteria) but the prior approval process is limited in scope. The planning application identifies work beyond the scope of the prior approval applications which require express planning consent, this includes changes in external cladding and the provision of extended residential curtilages. The DAS states that the works proposed are not necessary to enable the buildings to be converted but will provide a higher quality development which will contribute positively to local character. The proposals also seek consent to change the use of and convert one additional building into residential use.

2.3 Other works included within the application are the conversion of the southern end of Unit A into storage and garaging for the use of the proposed dwellings within this building, and for the erection of new boundary treatments; largely comprising native hedgerow and agricultural style post and wire fence, and soft and hard landscaping treatments across the site with access, parking and turning areas. The garden curtilages are to be separated by post and wire fencing and native hedgerows.

2.4 Main access into the site is proposed via a long private track to the west of the site that joins the lane known as 'Grange' to the south west. Vehicular access immediately to the south that runs past properties to the south of the site is shown to be available for use by refuse and emergency vehicles.

2.5 All the buildings shown to be demolished are in the control of the applicant and Condition 6 would secure their removal.

#### *Amended plans*

2.6 Amended plans have been received which identify the following changes;

- An additional parking space – 23 spaces in total
- Reduction of the size of windows in the west elevation of Unit D, to provide a higher sill height (as opposed to their previous full height form) and reducing their width
- Relocation of the windows serving Bed 2 / Bed 3 in dwellings 7 & 9 (in Unit D) respectively to the flank elevations of the building
- Reduction in the number of glazed openings in the west elevation of Unit D.
- Refuse collection - the position of a suitable turning head for refuse vehicles is shown with tracking to demonstrate that this will work with a refuse vehicle or emergency plant.

- A route for refuse vehicles to the site is identified along the existing private drive on the southern side of the existing farmyard. The Applicant recognises that it will be the Waste Authority's decision if their vehicles would be able to use this. If this was deemed impracticable, private refuse collection from the site would be secured. (Condition x relates)
- A new bin collection pad is shown between Units B & D to only be used on collection days, with bins otherwise stored within the private curtilages of residents.

*Proposed site plan (buildings to be removed shown with a dashed blue line)*



### *Affordable Housing*

2.7 The scheme falls below the threshold for appropriable housing provision. The NPPF advises that provision of affordable housing should not be sought for residential developments that are not major developments (10+), other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).

2.8 The proposal is not a major development as it is for less than 10 dwellings; no new buildings are to be provided (buildings are to be converted only) and the site is less than 0.5 hectares. There is currently no policy in the development plan which sets out a lower threshold for the provision of affordable housing in a designated rural area.



*Biodiversity*

2.9 The application includes an ecological survey dated 7/11/19, Biodiversity Mitigation and Enhancement Plan (BMEP) dated 12/11/19 & Natural Environment Team Certificate of approval dated 6/11/19. Condition 8 relates.

**3.0 SUMMARY OF INFORMATION**

	<b>Existing</b>	<b>Proposed</b>	<b>Consented applications</b>
Site Area (ha)	0.49	0.49	
Use	Agricultural	Residential	1 benefit of Prior Approval and 4 dwellings benefit of non-determination but process not fully concluded
Number of residential units	None	9	5
Number of parking spaces	None shown formally	23	None stated
Total footprint of buildings (part of buildings) on the application site (sq metres)	1983	1208	878
Total footprint of buildings to be demolished (sq metres) on application site and adjoining land in the applicant's control		839	

**4.0 RELEVANT PLANNING CONSTRAINTS**

Agricultural Land Classification  
SSSI Impact Risk Zone  
Green Belt  
Heathland 5km Consultation Area

## 5.0 POLICY AND OTHER CONSIDERATIONS

### Development Plan:

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

- KS1 Presumption in favour of sustainable development
- KS2 Settlement Hierarchy
- KS3 Green Belt
- KS11 Transport and Development
- KS12 Parking Provision
- HE2 Design of new development
- HE3 Landscape Quality
- ME1 Safeguarding biodiversity and geodiversity
- ME2 Protection of the Dorset Heathlands
- LN1 The Size and Type of New Dwellings

### National Guidance

The National Planning Policy Framework (NPPF) February 2019 and National Planning Practice Guidance (NPPG)

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development.

Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Relevant NPPF sections include:

- Section 12 Achieving well-designed places
- Section 13 Protecting Green Belt land

### Supplementary Planning Documents:

- Dorset Heathlands Planning Framework 2020 - 2025 (DHPF)

## 6.0 LOCAL REPRESENTATIONS

- 6.1 In addition to letters to neighbouring properties, a site notice was posted at Grange near the site's southern access (that serves the residential properties to the south) on 11/3/20 and at the same time a second notice was posted on Grange adjacent to the access that is proposed to be used by the

development (and to the east of the aforementioned access. These expired on the 4/4/20.

In response to the site notices and neighbour notification letters, 2 letters of objection were received that raise the following concerns;

- inaccuracies present in application form re: access, trees and hedges, no main sewer on site
- bin storage concerns
- bats and barn owl are present on site
- highway safety issues, lack of safe walking and cycling in the area and increase in traffic
- proposal would be car-dependent
- design and density of development proposed out of keeping with area
- western access unsuitable without modification
- prior approval applications at the site not a realistic fall-back position
- land to west of Unit A not part of an agricultural holding
- repairs to the barns have been undertaken despite them not being in use for agriculture and these are not repairs and needed planning permission and done before planning permission applied for
- proposed access to the site is unauthorised
- site is not 'previously developed land' for purposes of planning policy
- proposal not supported by Green Belt policy
- light pollution will result
- demolition of buildings adjacent to site that are not to be converted need planning permission
- site may be contaminated

## **7.0 CONSULTATIONS**

### **1. Dorset Highways (Comments received 29.09.2020)**

The site access directly to the south would be the preferable access route. However, provided the proposed access to the west is made appropriate for its use and has adequate visibility, it will be acceptable.

Suggested conditions and informative notes:

- Requirement for the access to the development to be construction to the Council's Highways specifications
- Requirement that dwellings are not occupied until parking and turning has been provided and condition advised to require the first 7.00 metres of the vehicle access, to be laid out and constructed to agreed LPA specification
- Condition advised to require the development not to be occupied/used until the turning and parking shown on Drawing Number 116-021 G has been constructed and to be thereafter maintained.

- Informative notes advised to require the vehicle to be constructed to the specification of the Highway Authority.
- The development will need to remain private and subject to a management agreement
- Refuse collection will either be kerbside or from the site by agreement with Dorset Waste. If the latter, a swept path analysis will be needed to show how the refuse vehicle will enter the site and collect the bin bags/wheelie bins

2. Holt Parish Council (comments received 7.04.2020)

Objection;

- Proposal would harm the openness of the Green Belt.
- This is a large development which already has permission for 3 dwellings and the existing holiday lets.
- Increased traffic on a very small single width road would be unacceptable in this location where residents would be reliant upon private cars to access work and school

3. Dorset Council Environmental Health (comments received 20/11/18)

Standard contaminated land condition should be imposed given the potential for previous agricultural contaminative activities on site and the proposed end use. A desktop preliminary risk assessment should initially be undertaken to establish the potential risk of any possible contamination (Condition 4 relates)

4. Dorset Council Planning Policy (comments received 16.04.2020)

Summary: Objection- the proposed change in the buildings use constitutes inappropriate development in the Green Belt as the activities and structures connected with the use of gardens and associated parked vehicles would result in loss of openness. The applicant has failed to demonstrate that there are very special circumstances which clearly outweigh the harm to the Green Belt arising from the inappropriate development. The case officer will need to consider whether the proposed development would lead to an enhancement to the sites immediate setting as part of their consideration of the application.

5. Natural England (comments received 03.03.2020)

No objection subject to mitigation being secured for the proposal's impact on the Dorset Heaths Sites of Special Scientific Interest (SSSIs). Recommend that the Biodiversity Plan is endorsed by the Council's Natural Environment Team, and a condition imposed to require the mitigation to be carried out.

6. DC Tree & Landscaping Officer

No objection. Conditions required for tree protection and detailed landscape/implementation proposals to be submitted and approved by LPA  
Landscape proposals need to include the recommendations included in the Biodiversity Mitigation & Enhancement Plan.

## **8.0 APPRAISAL**

The main issues for consideration are;

- The principle of the development
- Impact on the Green Belt
- Impact on the amenities of the occupants of adjacent properties and those of future occupants of the proposed dwelling
- Impact on road safety
- Impact on biodiversity
- Contamination
- Refuse collection

### **Principle of the development**

8.1 The application site is outside any settlement identified in CS Policy KS2. This policy sets out the district's settlement hierarchy stating that the location, scale and distribution of development should conform to the settlement hierarchy.

8.2 The proposal would not result in additional built form or sprawl in the countryside as it would re-use existing buildings. Therefore, no clear harm would arise from it in respect of the aims of Policy KS2. This view was held by the Planning Inspector at the recent appeal for the conversion of a building in the Green Belt adjacent to 6 Leigh Lane, Colehill (APP/U1240/W/18/3214442) re: planning application 3/17/3064/COU dated 30/4/19.

8.3 The Council does not have a 5 year housing supply at present (when applying the 20% buffer as introduced in the revised NPPF) and given this situation, Policy KS2 is over-ridden by paragraph 11 of the NPPF as it is out-of-date in respect of d) footnote 7 of para 11.

8.4 NPPF (2019) para 11 advises,

*'Plans and decisions should apply a presumption in favour of sustainable development.*

*For decision making this means:*

*d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>6</sup>; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

*6 The policies referred to are those in this Framework (rather than those in development plans) relating to:*

*habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.'*

*7 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.*

8.5 There are no development plan policies that address conversion of rural buildings to dwellings and the plan is silent on this aspect. For the above reasoning it is considered that the proposal to convert the buildings to residential use would be acceptable in principle, provided that NPPF policies that protect areas of particular importance (in this case Green Belt) do not provide a clear reason for refusing the development proposed. An assessment is also needed of whether any adverse impacts of permitting the proposal would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies taken as a whole.

### **Impact on the Green Belt**

8.6 The application site lies within the SE Dorset Green Belt, where there is a presumption against inappropriate development. The existing agricultural use of the site is appropriate within the Green Belt. The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (para 133-134). Local Plan policy KS3 provides the Council's overall approach to Green Belt, including maintaining open land around the conurbation.

8.7 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF advises that '*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations*' (para 144).

8.8 The construction of new buildings is inappropriate in the Green Belt but there are exceptions set out in NPPF para 145 and other forms of development that are not harmful are listed in para 146. Those relevant to this application include those listed under para 145 criterion (c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*; and at para 146 criterion (d) *the re-use of buildings provided that the buildings are of permanent and substantial construction and (e) material changes*

*in the use of land.* Limitations on development falling under paragraph 146 stipulate that the re use of buildings and material change of use of land is not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

8.9 The CS has no policies relating to the conversion of buildings in the Green Belt to dwellings and therefore policy in the National Planning Policy Framework (NPPF) is applicable as a material consideration.

8.10 As re-use of buildings is proposed, the proposal may be considered under NPPF paragraph 146 d). This permits the re-use of buildings provided they are of permanent and substantial construction,

*Whether the buildings are of permanent and substantial construction – NPPF para 146 d)*

8.11 Units A, B, C and E to be converted are all utilitarian structures whose former use was for agricultural purposes. The application is accompanied by a structural survey which advises they are suitable for conversion to residential use and the works needed would not amount to a rebuild.

8.12 In respect of the conversion, the application has generated an objection from a neighbouring property and the agent for the objector considers the recent works undertaken to Building A (see below) are not a repair but development which needed planning permission.

8.13 From the photos submitted by the objector's agent and following an officer's site visit, it is apparent that replacement of the lower sections of the steel upright supports on the front (east) side of Unit A have been carried out. The agent advises this was done before the prior approval applications were submitted. The works to Unit A are evident from the photo below submitted by the objector's agent and site photographs taken by officers assessing the earlier prior approval applications in 2019;



8.14 Para 55 (2) (a) of the 1990 Town & Country Planning Act states that maintenance, improvements or other alterations to a building which do not materially affect external appearance are not development. This appears to be the case here and it is considered that these works would not have needed planning permission, nor do they represent commencement of development to convert the buildings. In any case the test is whether the buildings are of 'permanent and substantial construction' for the purposes of NPPF green belt policy in respect of paragraph 146d), and this test applies at the time a planning application is assessed, and there is nothing in the provisions that prevents repair prior to making an application.

8.15 The submitted structural surveys of the buildings to be converted advise the following in their conclusions;

*'Structural Survey conclusions;*

*Unit A*

- *The present structure is suitable for conversion to single storey residential use subject to the recommendations in the structural report.*
- *The building is considered structurally stable and capable of being converted and the extent of works will clearly comprise retention of the main building elements including the steel frame and walls, with replacement of roof sheeting and erection of a new front wall and openings. This would not amount to a re-build*

*Unit B*

- *The present structure is suitable for conversion to residential use subject to the recommendations given in the structural report.*
- *The building is considered structurally stable and capable of being converted, and the extent of works will clearly comprise retention of the main building elements.*
- *The timber roof beams and trusses, and steel beams and posts of the building frame are considered to be permanent and sufficiently substantial for conversion.*
- *Roof cladding side rails will require replacement as part of the conversion works. This would not amount to a re-build.*

*Unit C*

- *The present structure is suitable for conversion to single storey residential use subject to the recommendations given in the structural report*
- *The building is considered structurally stable and capable of being converted, the extent of works will clearly comprise retention of the main building elements including the steel frame, walls, and possibly the purlins; with replacement of roof sheeting and erection of a new front wall and openings. This would not amount to a re-build.*



*Unit E*

- *The present structure is suitable for conversion to residential use subject to the recommendations given in the structural report*
- *The steel trusses and posts of the building frame are considered to be permanent and sufficiently substantial for conversion. Cladding, purlins and side rails will require replacement as part of the conversion works.'*

8.16 Having considered the submitted structural reports, and from a visual inspection of the buildings on site, it is considered the buildings to be converted are of permanent and substantial construction for the purposes of planning policy and the proposal may be assessed under NPPF para 146 exception d). The change of use of the surrounding land to ancillary residential purposes can be considered under para 146 NPPF exception e) and the extension to Unit E (Unit D as proposed) may be assessed under NPPF para 145 exception c).

8.17 The objection received in response to the application considers that the works undertaken to Unit A prior to submission of the application are not repairs as they involved removal of the lower part of the steel uprights along the front of the building together with digging out the old foundations and replacing these with new ones in addition to welding in new sections of steel uprights.

8.18 The Council has previously considered the condition of Building B in its assessment of application 3/20/0558/PNAGD where it was resolved that works to the roof were repairs and did not represent commencement of the proposed conversion. This view followed legal advice. The same view is maintained for Unit A. For the above reasoning, the application proposes the re use of existing buildings, which are of permanent and substantial construction, in compliance with paragraph 146(d) of the Framework

*Extension to Unit E – NPPF para 145 c)*

8.19 The extension to Unit E (Unit D as proposed) may be assessed under NPPF para 145 c). To fully assess whether the proposed extension would be appropriate development in the Green Belt a view has to be taken as to whether the extension would result in a disproportionate addition over and above the size of the original building.

8.20 To assess this the increase in floor space and volume is helpful. The proposed extension has a gross floor area of approx. 138sq metres and Unit E to be retained (and form proposed Unit D) has a floor area of approx. 212sq meters. This represents an increase of 65% above that of the retained floor space.

8.21 The volume of Unit E to be converted is 1270 cubic metres and the volume of the proposed single storey lean to extension is 485 cubic metres representing an increase of approximately 38%.

8.22 As the volume increase would be less than 50% and the form is subordinate, the proposed extension is not disproportionate to the size of the original building and as such this aspect is therefore not inappropriate development in the Green Belt.

*Whether the proposal would preserve Green Belt openness*

8.23 The forms of development set out at Framework paragraph 146 (a) to (f) as being not inappropriate in the Green Belt are qualified in that they must preserve the openness of the Green Belt and not conflict with the purposes of including land in the Green Belt. It is therefore necessary to consider both the spatial and visual aspects of the development in this respect.

8.24 The creation of enclosed residential gardens for the new units and vehicular parking bays would alter the character of the farmyard from a space that is largely undeveloped to one which is domestic in character. The proposal would bring vehicles onto the site and these would include private cars and other vehicles associated with a residential use such as trade and delivery vehicles. Other domestic paraphernalia sited in the open such as garden furniture, children's play equipment and refuse bins would cumulatively have some impact on openness which weighs against the proposal.

8.25 However, the proposal would not encroach into the countryside. Rather, the extent of the residential garden plots would be pulled back from the existing areas of hard standing and buildings would be removed. Of those buildings to be removed, several could be considered as outlying being sited on the site's periphery and their removal would reduce the physical spread of the proposal when compared with the spread of the existing buildings.

8.26 The removal of the existing use and several buildings are a factor for consideration as is the prior approval fallback position and these need to be weighed in the planning balance.

8.27 The removal of several farm buildings will see a reduction in both building volume and building footprint within the site. Due to the dilapidated nature of some of the remaining buildings some of that improvement could occur without the proposed development.

8.28 The change of use will also see the removal of large farm vehicles and other machinery from the site which would result in some visual improvement. In addition to the removal of buildings, the space around the buildings is dominated by concrete hardstanding.

8.29 Although officers are concerned about the introduction of domestic paraphernalia, it is accepted that the proposal would result in a more open site and such matters would not materially compromise the increase in openness that the removal of buildings proposed would bring about and it could be argued that the proposal would increase openness and would therefore go beyond the Framework's requirement to merely preserve openness.

8.30 The proposed extension to unit E would represent a modest spatial increase in floor area to that building but the volume of built form for that building is countered by the removal of other buildings from the site which would avoid a reduction in the openness of the GB.

8.31 When considering the visual or perceived impact on openness, the site is set back from the highway at the end of a lane. The site would be contained by the existing trees that grow along its north and east boundaries, and the hedge along the west boundary and buildings to the south and there is a building to be removed to the north of Units B & C.

8.32 The proposal would improve site permeability by opening up views into the site by the removal of buildings, the size of the vehicles using the site would reduce and the balance of hardstanding and garden would represent an improved level of visual openness compared to the existing agricultural yard use.

8.33 In this instance, the proposal is considered to go beyond preserving the openness of the Green Belt and would increase openness at the site. Any domesticating factors such as garden paraphernalia arising from the scheme of conversion would be limited by the manner and extent of plot demarcation within the development and would be more than offset in any event by the reductions in both building footprints and volumes, associated existing hardstanding, and the consequential increase in openness that would follow. It is relevant and necessary in this case to secure the removal of permitted development rights for extensions to the buildings, outbuildings and means of enclosure so that these can be controlled in the future in the interests of maintaining openness and the character of the converted buildings (condition 10).

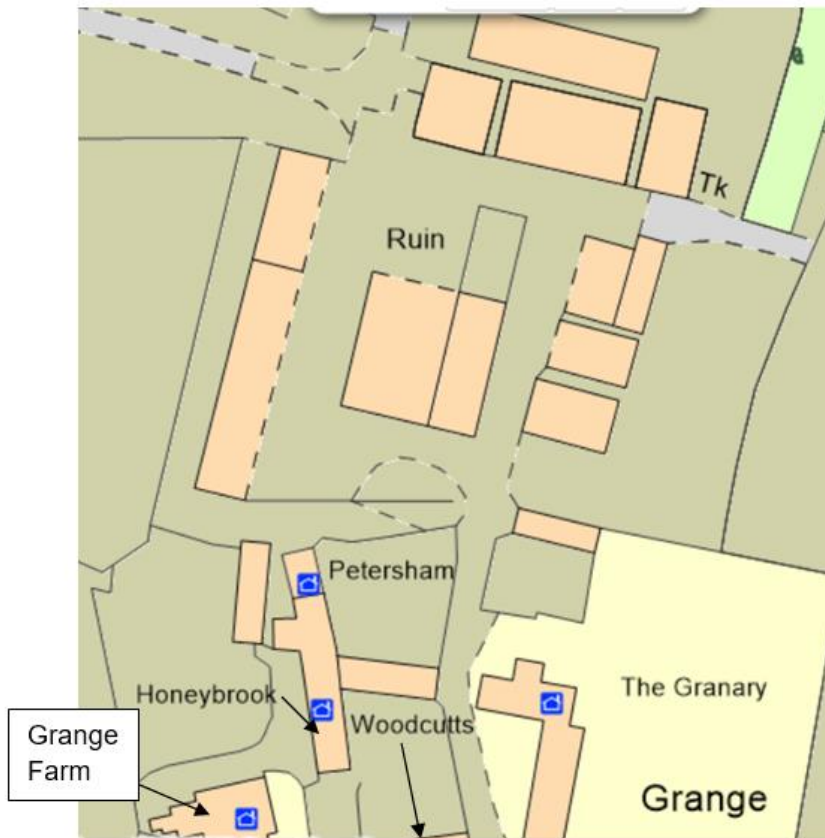
8.34 Openness is the counterpart to urban sprawl and is linked to the purposes that the Green Belt serves. For the above reasons, the proposal is not considered to be in conflict with the purpose of including land within the Green Belt and is appropriate development in the Green Belt in respect of paragraph 146 d) and e) of the Framework

**Impact on the amenities of the occupants of adjacent properties and those of future occupants of the proposed dwelling**

*Impact on occupants of adjacent dwellings*

8.35 The nearest dwellings to the application site are to the south at Petersham and The Granary. The dwellings at Woodcutts and Grange Farm lie immediately to the south of these properties;

*Location of neighbouring dwellings*



8.36 The distance between the nearest part of Unit D to the nearest part of the dwelling at Petersham is approx. 23m. This distance is acceptable to prevent any adverse impact from overlooking arising from the first-floor windows (bedroom and bathroom) in the south side of Unit D that would face this direction, and no adverse impact on the amenity of the occupants of Petersham would result from this relationship.

8.37 As the works proposed are to convert the buildings and no new buildings are proposed, there would be no change in the impact from the physical presence of the buildings on the amenity of the occupants of adjacent dwellings. There would be a betterment in the form of visual enhancement given the utilitarian appearance of the buildings to be converted. There would also be an enhancement from the removal of buildings and the use of the site for a residential use which would tidy its appearance. There may also be less noise disturbance from a residential use when compared to a situation if an agricultural use was in full operation on the site.

8.38 The separation distances between the buildings to be converted and the amenity spaces of the properties to the south are generous and no adverse effects would occur given this factor. There would be the inevitable noise from vehicle movements and the activity associated with a residential use, but this would not be

significant and could be less than the noise emissions if the site's use for agriculture was reinstated.

8.39 The site is to be served by the long private access track to the west and south of the site and this would reduce the disturbance from vehicle movements to and from the site given the track's distance from the adjacent properties. If the existing southern access was used (this would be possible if the applicant could gain agreement from the landowner who controls this land), the vehicle movements from 9 dwellings would not be significant in the context of the site being brought back into an agricultural use and the vehicle movements this would entail, some of which would be by heavy and noisy vehicles with no control over the hours they operate at the site.

8.40 The proposed residential use would bring light emissions from the dwellings and vehicles, and this could have some impact on the tranquillity of the site and occupants of the adjacent dwellings. However, given the small-scale of the development, this impact would not be significant, and an objection cannot be upheld on this basis. It is also to be noted that a reinstatement of an agricultural use could bring light emissions. A condition is advised to require all external lighting to be installed so that light is directed downwards onto the area it is intended to light and there is no upward light spill and this would address light pollution from external sources.

8.41 The use of outside spaces associated with the proposed dwellings would bring some impact from noise for the occupants of adjacent properties. However, given the nature of the residential use and small areas of private outdoor space available to the nearest dwellings in Unit A, this impact would not be significant.

8.42 For the above reasons, the proposal would be compatible with its surroundings in respect of its relationship to nearby properties and accords with Policy HE2 of the Core Strategy.

### **Impact on road safety**

#### *Vehicular access*

8.43 The proposal shows vehicular access to the site via the existing 374m long and 3.7m wide unsurfaced agricultural track that runs between Grange and the NW corner of the application site.

8.44 This track was the subject of a prior approval application 3/19/1735/PNAGD which was not determined by the Council in the required time period and consequently the development set out in the application may go ahead under the applicable regulations. The DAS advises that the applicant has largely carried out the works to the track and will be completing the works in accordance with the details submitted with the associated prior approval application.

8.45 From the case officer's site visit during the application under consideration, it appears that this track has not been completed and is currently formed of tipped rubble and not ideally suited for domestic vehicles as it has no topping of scalplings as advised in the prior notification application.

8.46 The Design & Access Statement (DAS) states that Grange Farm is served by two points of access both comprising private ways. One is wholly in the ownership of the applicant (the longer of the two that is proposed to serve the development) and one over which the applicant has a right of access for agricultural purposes (the access immediately to the south).

8.47 The DAS advises that both points of access serve the farmyard and its existing operations, and that the applicant has recently upgraded the western (longer) access to the farm which serves both the farmyard and the agricultural pastureland which surrounds it. The pastureland is farmed by way of a tenancy agreement with an agricultural tenant. However, the farmyard is not included within the tenancy as there is no requirement for its buildings in connection with the farming of the land for maize crop. The farmyard buildings have been used for agricultural storage by the estate for various machinery but are largely redundant and are not currently required for any agricultural function.

8.48 The supporting planning statement for the prior approval application advised that the track was required to gain access to the fields on the agricultural holding as well as the farmyard at Grange Farm. Therefore, even with the farmyard redeveloped for housing, access to the fields would be needed which makes the prior notification application valid in respect of the works needing to be reasonably necessary for the purposes of agriculture.

8.49 This access track lies outside the application site, but within the ownership of the applicant and leads up to a highway (Grange Road). Therefore, a Grampian type condition may be used if improvement of the access surfacing or control of visibility splays is required. As the track is not in the application site, it is not part of the application, but when finished with compacted scapplings as the prior notification application proposes, it would be a suitable means of access to the site. A Grampian type condition is suggested to ensure details of the construction of the access road are agreed and the access finished in accordance with them prior to the occupation of the dwellings.

8.50 The Council's highways officer has advised that the access road to the south would have been the better access route. However, provided the access to the west is made appropriate for its use and it has adequate visibility, then it will be acceptable for the development. Highway Searches have confirmed the land in the Council's ownership at the access and this would incorporate the required access visibility splays. Condition 3 would require this.

8.51 Conditions are advised to;

- require the first 7m metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing) to be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority. This is to ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.
- require the turning and parking shown on the submitted proposed site plan to be installed before the development is occupied and then permanently maintained and kept free from obstruction and available for parking and turning.

8.52 There is adequate visibility where the private driveway joins Grange Road and this road is unclassified and lightly trafficked. The additional vehicle movements that would be generated by the access from the 9 dwellings would not adversely impact on road safety, and the proposal accords with CS Policy KS11.

#### *Parking & turning*

8.53 The proposed site plan shows 19 allocated parking spaces with parking spaces to include 3 within the car ports at the side (S) of Unit A. There are also 4 visitor spaces. This totals 23 spaces which complies with the Council's residential parking standards guidance. The parking provision is therefore acceptable and CS Policy KS12 is complied with. There is sufficient space to manoeuvre vehicles on the site and they would be able to leave the site in a forward gear.

#### **Impact on biodiversity**

8.54 Objectors have raised concerns about the impact on biodiversity including bats and barn owls. The application site triggers the need for a biodiversity assessment and is accompanied by an Ecological Report and Biodiversity Plan signed 12/11/19 which has been approved by the Council's Natural Environment Team (also signed 12/11/19). The submitted information identifies the following ecological issues;

8.55 The Ecological Report (ER) advises that no bats, evidence of bats, or potential roost features (PRFs) for bats were observed in or on any of the buildings on site, and the buildings all have negligible bat potential. No evidence of birds nesting in or on any of the buildings was found.

8.56 The ER advises that the two trees proposed for removal have negligible bat potential.

8.57 The ER advises that there are no protected sites within 2km of the site. However, there are known bat roosts within 5km including Serotine, Common pipistrelle, and Brown long-eared bats.

8.58 The ER concludes that none of the buildings on site have any bats or evidence of bats and there are no protected species or habitats suitable for protected species on site.

8.59 The following biodiversity enhancements will be provided at the site;

- 4 x bat boxes in west side of Unit C
- 2 x bat boxes in south side of Unit D
- 4 x bat boxes in west side of Unit B
- 4 x swallow cups in car ports of Unit A
- 1 x barn owl box in east side of Unit C
- Hedgehog friendly fencing
- 150m of native hedging
- Wildflower planting area at the site entrance (to long track)

8.60 It is considered that subject to a condition (no.9) to secure compliance with the approved biodiversity plan, the proposal would accord with CS Policy ME1 as it would meet the policy's aims of safeguarding biodiversity. The enhancements would accord with NPPF policy to help achieve net biodiversity gain.

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

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

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

8.63 The appropriate assessment dated 19/11/20 has concluded that the mitigation measures set out in the Dorset Heathlands 2020-2025 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.

8.64 The Council collects Heathland mitigation payments via the Community Infrastructure Levy (CIL) and/or legal agreements which will secure the necessary contribution in accordance with the Dorset Heathlands SPD.

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



### **Contamination**

8.66 The representations received in response to the application have advised that the site may be contaminated. The Council's Environmental Health Officer (EHO) also advises that the site may be contaminated, and the Council's standard contaminated land condition should be imposed to any planning permission, given the potential for previous agricultural contaminative activities on site and the risk associated with the proposed residential use. The EHO advises that a desktop preliminary risk assessment should initially be undertaken to establish the potential risk of any possible contamination

8.67 With the imposition of the Council's standard contaminated land condition (condition 4), the proposal would accord with Saved Policy DES2 of the East Dorset Local Plan (2002) and also NPPF paragraphs 178 to 180 (Ground conditions and pollution).

### **Refuse/recycling collection**

8.68 The proposal shows refuse/recycling to be collected from the site by the Council's refuse collection service and this would be facilitated by the long private access track to the west of the site. A turning area is shown on the site for refuse vehicles along with a dedicated bin store which is only to be used on collection days with the bins stored in the curtilages of the dwellings at other times.

8.69 In this scenario, residents will be able to wheel their bins the short distance to the storage pad and the pad is positioned close to the turning head for ease of access for the waste collection vehicle operators. The collection pad can cater for 9 x 240 litre recycling bins and ancillary bottle boxes and food waste bins, which will represent the largest single collection at any one time. This would allow appropriate space for storage of bins on collection day and provides a safe and accessible position for siting by residents and collection by operators.

8.70 The Council's Waste Collection service has advised that its vehicles would only be able to use the proposed access if it was constructed to an adoptable standard suitable for a waste collection vehicle. This is not proposed, and it would not be appropriate in visual terms to have a tarmacked access road here.

8.71 The Waste Collection service is content to collect refuse/recycling from the roadside and advise that a communal bin store at an agreed point close to the main highway could be agreed to facilitate this. However, there is no suitable location within land controlled by the applicant that would be within 10m of the roadside edge (which is a requirement for collections). In this case, refuse/recycling bins could be left within 10m of the roadside at the site access for collection on collection day and stored in the curtilages of the dwellings at other times. The Council's Operations Manager has advised that collection from the roadside would be acceptable if a safe location for collection was agreed.

8.72 It is unlikely that this arrangement would be practical for the occupants of the proposed dwellings and therefore if collection arrangements are not acceptable to the Council's refuse collection service, the applicant could arrange for refuse to be collected by a private operator. Private collection would be necessary to meet the Building Regulations Guidance set out in Approved Document H as this advises that usually the distance householders should be expected to carry refuse should not exceed 30m. In planning terms, private or Council arrangements for refuse collection are considered acceptable.

### **Other issues**

#### *Previously developed land (PDL)*

8.73 As the buildings are agricultural buildings and last used for agriculture, the site does not qualify as PDL for the purposes of this planning assessment. This view is taken given the definition of PDL in Annex 2: Glossary of the National Planning Policy Framework. Therefore, no weight is afforded to this matter.

#### *Access to facilities and public transport*

8.74 The application site is in a location that is not well-served by facilities or public transport and it is highly likely that residents of the proposed dwelling would need to use a private car to access employment, shops and facilities. This factor is given some weight against the proposal, as planning policy generally seeks to locate new development in areas well-served by employment and facilities and that allow a choice on transport methods in addition to the car although the limitations of rural areas is recognised by the NPPF.

#### *Enhancement/maintenance of the vitality of rural communities*

8.75 The DAS advises that NPPF Paragraph 78 seeks to direct housing 'where it will enhance or maintain the vitality of rural communities'. There is some argument that housing at the site would make some contribution to the vitality of rural communities, however this is likely to be small and no weight is afforded to it accordingly.

#### *Fall-back*

8.76 As previously stated, there is a fall-back position for the conversion of building B to one residential dwelling for which Prior Approval was granted. Buildings A & C also benefit from Prior Approval by default for the creation of a total of 4 dwellings. The prior approval process is one of the requirements set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO) in order to benefit from deemed planning permission for certain classes of development. Schedule 2, Part 3 'Changes of Use', Class Q deals with the conversion of agricultural buildings to residential use and is conditional on a Prior Approval procedure being followed.

8.77 The permitted development right for Class Q does not apply a test in relation to sustainability of location, and when considering whether a change of use is

appropriate in a particular location, the location is not a sufficient reason for refusing Prior Approval applications, only as to whether the change to residential use would be impractical or undesirable. In this instance, the proposed development site could accommodate residential units in existing buildings under Class Q permitted development as a fall-back position.

8.78 The applicant's suggested fall-back position of five residential dwellings within buildings A (3 dwellings), B (1 dwelling) & C (1 dwelling), is contested by objectors. They have raised concerns that not all of the curtilage land identified to serve the new dwellings was in agricultural use as required by Class Q, that surveys demonstrating structural soundness were undertaken after repair works to achieve the necessary soundness and that these repair works were development requiring permission. These issues have not been tested by the submission of Certificates of Lawfulness applications but have been considered by officers.

8.79 In relation to prior approval 3/19/1651/PNAGD, land lease details relating to the land immediately to the west of Unit A has been provided which suggests that not all of the site (meaning the building and its curtilage) formed part of an established agricultural unit as required by the permitted development criteria. This would prevent the conversion to 3 dwellings proposed by the prior approval submission.

8.80 In relation to Unit B officers judged that the proposal under reference 3/20/0558/PNAGD did meet the permitted development criteria. The works undertaken to the buildings are mainly internal and have not materially affected their external appearance nor are they considered to represent commencement of conversion for which prior approval was sought. Unit C would also appear capable of conversion in compliance with permitted development requirement. As such, the creation of two large dwellings from Units B and C to the north of the site represents the realistic fall-back scheme. This is more modest scheme than the proposal currently under consideration so cannot be given much weight in the planning balance.

### **Planning balancing exercise & conclusion**

8.81 At present, the Council cannot demonstrate a 5 year housing supply and this renders CS Policy KS2 out of date for the purposes of NPPF paragraph 11. There are also no relevant policies in the CS to deal with conversion of buildings into dwellings. Criterion d) of paragraph 11 is therefore triggered.

8.82 Officers have had regard to the Policy Planning advice and representations received from the public but consider that the proposal does accord with NPPF paragraphs 146 (d) and (e) as it would result in an improvement to Green Belt openness from the removal of existing buildings (secured by condition 6) and would not conflict with the purposes of including land within the Green Belt. As the proposal would not have an adverse impact on areas or assets of particular importance (i.e. Green Belt) there is no reason to refuse the proposal on this basis. Consequently, NPPF Para 11d) i. is accorded with.

8.83 In respect of NPPF Para 11d) ii. the identified adverse impacts of the proposal, in this case reliance by future occupants on the private car, would not significantly and demonstrably outweigh the benefits of the scheme which will contribute to housing supply, enhance visual amenity and biodiversity.

8.84 The proposal is therefore considered to be sustainable development for the purposes of NPPF paragraph 11.

## **9.0 HUMAN RIGHTS**

9.01 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

9.02 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.

## **10.0 PUBLIC SECTOR EQUALITIES DUTY**

10.1 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.

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

## **11.0 CLIMATE IMPLICATIONS**

11.1 The proposal will re-use existing buildings with the reduction in the use of new building materials that this would entail and in this respect could potentially have a lesser impact on climate change than if the new housing was new-build, and given the relatively low number of dwellings, the proposal is not considered to have a significant impact on climate change.

## **12.0 HEALTH AND WELLBEING IMPLICATIONS**

12.1 In accordance with the Council's responsibility for promoting health and wellbeing and the reduction of health inequalities across the county, the potential impact of the proposal on general health and wellbeing has been considered.

12.2 The application site lies adjacent to a cluster of dwellings and agricultural land. The amenity of occupiers of the proposed dwelling and neighbours and any third party representations have been taken into account as part of the planning appraisal which has found that the development is acceptable in planning terms subject to conditions. In considering this application regard has been given to the future wellbeing and health of the local population within the scope of the material planning considerations applicable to this application and the realms of planning legislation.

## **13.0 CONCLUSION**

13.1 Having assessed the material planning considerations as outlined in this report, officers consider that the proposal complies with relevant planning policy and the application is therefore recommended for approval subject to conditions.

## **14.0 RECOMMENDATION –**

**Grant**, subject the following conditions:

### **Conditions:**

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

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

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

UX Architects drawing no. 116-021 Rev G: Proposed site plan

UX Architects drawing no. 116-020 Rev C: Location Plan

UX Architects drawing no. 116-026 Rev E: Unit A Proposed roof plan

UX Architects drawing no. 116-040 Rev E: Unit A Proposed elevations

UX Architects drawing no. 116-025 Rev E: Unit A Proposed floor plans

UX Architects drawing no. 116-027 Rev B: Unit B proposed ground floor plans

UX Architects drawing no. 116-029 Rev B: Unit B Proposed roof plans

UX Architects drawing no. 116-041 Rev A: Unit B: Proposed elevations

UX Architects drawing no. 116-031 Rev B: Unit C: Proposed first floor plan

UX Architects drawing no. 116-030 Rev E: Unit C: Proposed ground floor plans

UX Architects drawing no. 116-033 Rev D: Unit C: Proposed roof plans

UX Architects drawing no. 116-042 Rev C: Unit C: Proposed elevations

UX Architects drawing no. 116-043 Rev A: Unit C Proposed elevations

UX Architects drawing no. 116-034 Rev A: Unit D Proposed ground floor plan

UX Architects drawing no. 116-036 Rev A: Unit D Proposed roof plan

UX Architects drawing no. 116-044 Rev B: Unit D Proposed elevations

UX Architects drawing no. 116-045 Rev B: Unit D Proposed elevations

UX Architects drawing no. 116-035 Rev B: Proposed first floor plan

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

3. The development hereby approved shall not be commenced unless and until construction details of the private way (to include visibility splays onto Grange and specification of the final surfacing) to serve the development (that is shown to run to the west of the application site) have been submitted to and approved by the Local Planning Authority. This driveway is shown as 'existing private driveway' on Drawing No. 116-001 E: Existing Site Plan and runs between the application site and the public highway known as Grange Road. The private driveway shall then be completed in accordance with the approved details before any of the dwellings are occupied and be maintained in accordance with the details thereafter.

Reason: To ensure a satisfactory means of access to the development.

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

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

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

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

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

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

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

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

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

5. Details of any access facilitation pruning works and a plan showing the location of barriers in accordance with BS5837:2012 Trees in relation to design, demolition and construction shall be submitted to and approved in writing by the local planning authority before any equipment, machinery or materials are brought on to

the site for the purposes of the development. The barriers shall be erected and maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To ensure that trees and their rooting environments are afforded adequate physical protection during construction.”

6. Before any works to convert the buildings are undertaken, existing buildings C1, C2, D1, D2, D3, D4 & D5 shown on the submitted existing site plan UX Architects Drawing No. 116 – 002 E shall be demolished and all resulting materials removed from the site.

Reason: To enhance Green Belt openness and visual amenity

7. Before using any external facing and roofing materials in the construction of the development, details of their manufacturer, colour and type shall have been submitted to and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure the development uses external materials appropriate for its context.

8. Prior to the occupation of the dwellings, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority (LPA). These details shall include means of enclosure; hard surfacing materials, and planting species, density and size of soft landscaping and accord with the planting set out in paragraphs 6.5 to 6.7 of the Biodiversity Mitigation & Enhancement Plan signed by Dorset Council’s Natural Environment Team 12/11/19. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the programme agreed with the LPA. The landscaping approved shall be retained for 5 years during which time any species that dies or becomes diseased shall be replaced with the same species.

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

9. The development hereby approved must not be first brought into use unless and until the mitigation, compensation and enhancement/net gain measures detailed in the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 12/11/19 have been completed in full, unless any modifications to the approved Biodiversity Plan as a result of the requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority.



Thereafter approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

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

10. Notwithstanding the provisions of Part 1 Classes A, AA, B, E and Part 2 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment, planning permission will be required in respect of any extension to the buildings, alteration to the roofs, outbuildings (to include garages/car port) and means of enclosure (to include fences/walls).

Reason: To ensure that the design concept of the development is retained and the openness of the Green Belt is not adversely affected by the development.

11. Any external lighting proposed for the development hereby approved shall be installed to prevent any upward light spill into the sky, and to direct light onto the area to be lit only.

Reason: To prevent light pollution of the night sky and immediate area.

12. All hard surfacing areas shall either be permeable to allow surface water to drain into the ground through them or these areas shall be drained into effective soakaways on the application site.

Reason: To reduce surface water runoff from the development.

13. Before the development is occupied or utilised the first 7.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

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

14. Before the development hereby approved is occupied the turning and parking shown on Drawing Number 116-021 G must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

**Informatives:**

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

**Background Documents:**

Case Officer: James Brightman

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.