

Application Number:	P/FUL/2021/00554
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Stonebarrow Manor, Stonebarrow Lane, Charmouth, Dorset DT6 6RA
Proposal:	Conversion of existing Manor House to 5 dwellings including extensions. Use Stonebarrow Barn as independent dwelling (removal of cond. 4 of 1/W/2002/0886-holiday employment occupancy link); erect new dwelling and modify existing vehicular access (Amended scheme).
Applicant name:	LBCD LTD
Case Officer:	Bob Burden
Ward Member(s):	Cllr Christopher

Taking account of representations made during the course of the consideration of the application, the Head of Service considers that under the provisions of Dorset Council's constitution this application should be determined by the Area Planning Committee.

1.0 Summary of recommendation:

Recommendation A: That the committee be minded to delegate authority to approve to the Head of Planning subject to planning conditions, and a planning obligation to address an affordable housing contribution of £36,228.62 and subject to the comments of the Natural Environment Team, and to any comments of the Environment Agency stating that they have no objection or no comments being received from them by 3/11/21 and imposing any additional conditions requested by them which in the view of the Head of Planning are necessary and that the Head of Planning determine the application accordingly.

Recommendation B: That the committee be minded to delegate authority to the Head of Planning to refuse permission for the reasons set out below if the legal agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning and that the Head of Planning determine the application accordingly:

In the absence of a satisfactory and completed section 106 agreement or unilateral undertaking the scheme would make no provision for a contribution to affordable housing in the locality and as such the development is contrary to Policy HOUS1 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2021).

2.0 Reason for the recommendation:

- Contribution towards 5 year housing land supply (currently 4.93 yrs).
- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

3.0 Key planning issues

Issue	Conclusion
Principle of development	The site is close to (162m) outside the defined development boundary of Charmouth. Charmouth is a settlement with a range of facilities and services and is therefore considered in principle a sustainable location.
Effect on visual amenity (including trees) and on the Area of Outstanding Natural Beauty	The siting, design and materials are considered visually acceptable.
Heritage assets	The building is a non-designated heritage asset and the effect of the conversion is acceptable on its character.
Effect on residential amenity	The scheme has an acceptable relationship with neighbouring uses/property and with other units within the scheme.
Flood-risk and drainage	A flood risk assessment has been provided, and drainage details are addressed by condition.
Land stability	The submitted Land stability report is acceptable.
Ecology	A biodiversity plan has been provided.
Highways	The scheme provides sufficient parking and the existing access is acceptable subject to highways conditions.
Affordable Housing	The scheme requires an affordable housing contribution of £36,228.62 to comply with the local plan policy and NPPF.

4.0 Description of Site

4.1 The site lies at the junction of Charmouth Road and Stonebarrow Lane on the east side of the village. It comprises Stonebarrow Manor- formerly used as an 18

bed holiday unit and Stone barrow barn- specified by planning condition/section 106 as a unit occupied by employees/dependants engaged in running the Manor as a holiday business.

4.2 Stonebarrow Manor is a sizeable building, set back and occupying an elevated position within the site. It is of white finished walls under a natural slate roof with architectural detailing. Whilst there have been alterations and extensions it is a non-designated heritage asset with historic origins and a distinctive presence in the streetscene. The frontage garden area comprises a mainly open grassed sloping tract of land.

4.3 Stonebarrow Barn lies to the east within the site; a dwelling of natural stone under a natural slate roof. The site slopes down from east to west and includes garden areas or more extensive mainly grassed areas, with a driveway and gravelled parking areas. There is an existing vehicular access on the south-west side onto Stonebarrow Lane. The site includes a number of trees both within it and to the boundaries; in particular there are group Tree Preservation Orders affecting trees towards the western part of the site, at the south-eastern corner of the site and TPO's on a horse chestnut to the east of Stonebarrow Barn, and on 2 ash trees to the north of the Barn and north-east of the Manor . There are established boundary trees/planting along the Stonebarrow Lane frontage reducing to hedging east of the Manor (beyond the natural stone walled garden area), before the TPO trees. On the east site boundary the land rises to a bank surmounted by a relatively continuous row of mature trees. The frontage to the north-west part of the site is relatively open with a timber post and rail fence adjacent to the Charmouth Road.

4.4 Opposite the site on the south side of Stonebarrow Lane are dwellings known as Stonebarrow Gate and Gabriels. The east boundary is with the Newlands Holiday Park; an extensive holiday park including a mix of holiday caravans, other holiday accommodation and related facilities. Moving northward along the east boundary there is a horticultural storage and compost area, then a parking area and moving round to the east side of the Barn, the recycling/refuse area for the holiday park and maintenance workshop. There is open land to the north-west of the site beyond Charmouth Road.

5.0 Description of Development

5.1 The application proposes the subdivision and extensions of Stonebarrow Manor into 5 dwellings (4 in the main building, 1 in the rear extension). A first-floor extension at the south end of the Manor is proposed, and a ground floor extension of the rear (unit 5). A further new-build dwelling is proposed between the Manor and Barn. The application also seeks to remove planning condition 4 of application 1/W/00/000375 tying residential occupancy of the Barn to those employed in servicing the holiday unit. The existing vehicular access would be modified by providing visibility splays 0.6m above road level. The existing gravel parking area in front of the Manor would be increased slightly for parking, with additional parking alongside the proposed unit 4 and the new-build unit. About half the extensive gravel area fronting the Barn would be replaced by grass. 17 car spaces would be provided.

The more open grassed area to the north-west would be used as gardens for some of the units.

6.0 Relevant Planning History

1/W/00/000375 - Alterations to convert barn/storage building for occupation by persons employed in the holiday business. Approved 13/6/2001

1/W/02/000886 - Alterations to convert barn/storage building for occupation by persons employed in the holiday business (amended scheme). Approved 27/9/2002.

P/MPO/2021/03556 Discharge of s106 agreements dated 13/6/2000 (1/W/00/000375) and 27/9/2002 (1/W/02/000886) relating to servicing accommodation for holiday units (Pending application).

7.0 List of Constraints

ENV 7; Lyme Regis and Charmouth Slope Instability Zone 3

ENV 1; Heritage Coast

ENV 1; Area of Outstanding Natural Beauty; Dorset

Landscape Character areas; Wooded Hills; Chideock Hills

TPO 1957

Flood Zone 1 and 2

Outside defined development boundary (162m away)

Area of Outstanding Natural Beauty: (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

8.0 Consultations

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

Comments on original submitted plans:

Natural England- Biodiversity Mitigation Plan required

Highways Officer- (Scheme amended-comments below relate to amended plans)
The proposed secondary access has been removed. Acceptable visibility is available at the existing access given the nature of the highway in the vicinity of the site.
Sufficient car parking is provided.

The Highway Authority has NO OBJECTION, and recommends the following condition(s):

Turning and parking construction

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

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

Visibility splays as submitted

Before the development hereby approved is occupied or utilised the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

No gates

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

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

Tree Officer- comments on original scheme-

Removal of T1 horse chestnut acceptable due fungal decay.

Removal of T9 ash- judged to be more important than submitted arboricultural assessment indicates.

Concern proposed unit 9 adversely affected by shading/amenity implications by TPO'd sycamores close-by, and trees opposite - potential pressure for adverse tree works.

Submitted landscape plan lacks detail.

Entrance area-scope for some tree removal and replanting.

Charmouth Road frontage- planting of new native species hedgerow further helped if supplemented by standard trees.

Objection raised

- 1) Applicant to supply reasoning for T9 ash categorisation and proposed removal.
- 2) Detailed and comprehensive landscaping plan to include all tree planting using tree species that compensate the removed trees as an enhancement to the site. To include areas to the north where potential tree removals and replanting is recommended.
- 3) Reconsider location and potential for Unit 9 and the effects to the property by existing trees

Tree Officer comments on amended plans-

(In summary, the Tree Officer is now content with the amended scheme subject to conditions relating to the arboricultural method statement and a landscaping scheme).

Environmental Health Officer- No comment

Flood and Coastal Risk Management Officer-

With regards to this application i have no 'in principle' objection. The submitted ground stability report makes a number of recommendations regards the proposed construction methodology and also recommends that further site investigation will be required to inform the design. I would suggest that these recommendations are followed and that the future geotechnical aspects are reviewed/considered by a competent person where necessary. Some extensive excavation work will be required so ground conditions, excavations, temporary supports etc should be carefully monitored during any construction work in case of localised land slippage. I would also advise that collected surface/rainwater is discharged to a piped drainage system and not to soakaway as is accepted good practice at this location. Building Control would have to be happy with the foundation, retaining wall arrangements if/when an application is made for Building Regs approval.

The EA's surface water flood risk mapping indicates that there is a potential surface water flood risk at this location – primarily as a result of run off down Stonebarrow Lane – the applicant should be aware of this and possibly incorporate flood mitigation measures if appropriate however I am unaware of any previous flood incidents at this address.

Building Control Officer- The land stability report is considered acceptable.

Natural Environment Team- Comments awaited.

Environment Agency- Comments awaited.

Char Valley Parish Council- Notes that the applicants assert that they have taken into consideration policy ENV15 on the efficient and appropriate use of land. They say the site has been planned to make effective use of the land with a mix of properties which meets the needs of the population. However, no attempt has been made to offer economic or affordable housing for the local population and the applicants are seeking Removal of Condition No.4 & No.5 on planning application reference 1/W/02/000886 – these two conditions together served to offer accommodation to local working people.

CVPC notes further that the applicants are seeking Removal of Condition No.4 & No.5 on planning application reference 1/W/02/000886 – these two conditions were imposed because “The site is in an area where new dwellings would be contrary to the provisions of the approved Development Plan and normally would not be permitted.” However, as well as circumventing these conditions, the applicants are seeking to build three further new dwellings.

For these reasons, CVPC objects to the removal of Condition No.4 & No.5 on planning application reference 1/W/02/000886.

CVPC notes that the applicants claim that “In the longer term, there will be employment opportunities for general maintenance and gardening to be the building on the site and the garden areas surrounding.” However, the garden space available after the renovation/construction of 9 dwellings and 22 parking spaces and associated driveways on a 1.2 acre site will be considerably less than the existing garden space. Additionally the applicants are seeking the removal of restrictions that do offer accommodation to people working on the site currently. In these two ways, the application actually reduces employment opportunities in the long term.

CVPC notes that the applicants claim the “proposed scheme would sit comfortably on the site and stimulate the local economy in the short term and the longer term, creating homes and bringing more families into the area.”

However, they later cite in their support several recent permissions to allow all-year-round holiday usage for local dwellings. This is completely at odds with the supposed intention of creating homes and bringing families into the area.

CVPC notes that although the Application Form (Section 8) states that no new or altered vehicular access is proposed to the public highway the plans appear to show new access from Plot 9 to a narrow part of Stonebarrow Lane adding to the recognised hazards of this very narrow single lane road which is already overburdened by local and visitor traffic as well as by many pedestrians and which has no pavement or pedestrian walkway for its entire length.

CVPC supports the views of residents who feel that building two houses between the manor and the barn is excessive infilling and would detract from the appearance of an important historic building in the village as well as imposing dangerous extra levels of traffic on the access road (Stonebarrow Lane).

**** For these reasons CVPC objects to the level of development and number of proposed new dwellings – specifically it objects to the three new detached dwellings proposed.**

CVPC notes that there is no record of a bat survey having been undertaken.

****For this reason, CVPC asks Dorset Council to request one before any decision is made.**

Charmouth Parish Council-(Adjacent Parish) feels that whilst this property is just outside the Charmouth parish boundary, it is a visually prominent location at the gateway to the village. Charmouth Parish Council therefore objects to the proposal to infill the area between the house and the barns with three additional properties which appears to be over development of the site. In principle there are no objections to the conversion of the house and barns. The Parish Council would also support the Tree Officers comments.

Charmouth Parish Council-Further Comments on Amended Plans- The Parish Council is pleased that the issue of over-development has been addressed by the reduction of two of the proposed dwellings. However, there is concern that this scheme is proposing 100% open market housing and it is felt that there should be an apportionment calculation in line with Para 30 of NPPF 2021. NPPF 2021 Para 64 indicates that on developments in designated rural areas (inc. AONBs) affordable homes can be sought below the national threshold of 10 units (= 'major development') i.e. normally 5-9 units.

The Parish Council is also concerned about the access and visibility, in line with the Highway Authority's comments, given the number of vehicles that will be using the site on a daily basis.

Char Valley Parish Council-Further comments on Amended Plans- has the following observations in response to the application and the Agent's correspondence on the matter:

Reducing the size of the proposed over-development from nine to seven dwellings is an improvement but it does not address a number of other issues.

The proposed development would make all the dwellings open-market housing and we strongly argue that an apportionment calculation (permitted in an AONB) should be applied, whereby affordable homes can be sought below the national threshold. This is especially important given the simultaneous application to remove the S106 agreement covering one dwelling.

CVPC's previous objection (12/05/2021) stated: "CVPC notes further that the applicants are seeking Removal of Condition No.4 & No.5 on planning application reference 1/W/02/000886 – these two conditions were imposed because 'The site is in an area where new dwellings would be contrary to the provisions of the approved Development Plan and normally would not be permitted.'" CVPC's objection still stands.

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access road (Stonebarrow Lane).” CVPC’s objection still stands.

CVPC also acknowledges the commercial concerns of Avison Young (representing the neighbouring Newlands Holiday Park) although they are not proper grounds for the Parish Council itself to object.

Representations received

Comments on original submitted scheme:

8 letters of objection/comment have been received. The main planning related points include:

- overdevelopment of site
- adverse visual impact, particularly between the Barn and Manor
- visually detrimental on gateway site in AONB
- two houses between Barn and Manor - excessive infilling/detract from historic building
- layout of individual gardens out of character
- loss of flora and fauna from development of site
- bat survey should be carried out
- additional access and more houses will increase highway safety dangers on Stonebarrow Lane; a narrow lane without footway
- noise/disturbance from existing close-by business uses may prompt amenity complaints- with possible consequences for business
- no affordable housing being provided
- concern over impact of residential use on the efficient operation and viability of adjacent holiday business
- loss of current local economic tourism benefits site currently provides.
- inaccuracies in planning statement

- contrary to Local Plan and NPPF advice
- Development would harm the historic and landscape character of the designated Area of Outstanding Natural Beauty and Heritage Coast
- detrimental to South-West Coast Path environment
- no economic justification for the loss of the existing tourism use
- development would frustrate proper planning of the area -loss of holiday-related employment servicing Barn dwelling
- no justification to depart from the strategic housing approach of the development plan to allow for housing in this countryside location outside the defined development boundary
- development would create amenity issues that would impinge on adjacent holiday business operation -risk of complaints from residents due to noise/activities may have adverse consequences for enjoyment/economy of business
- development would provide substandard housing- Manor and southern dwelling will overlook/overshadow new dwelling gardens
- development would create highway safety issues-negative impact on road network and safe road operations/inadequate parking/inadequate access visibility/no footway
- out of character in scale and design
- hard landscaping/fencing- adverse visual impact

- highway dangers and amenity impacts on neighbours from construction traffic/phase
- adverse effects on local businesses
- substantial increase in traffic on already heavily used Stonebarrow Lane (by cars, walkers, cyclists)
- loss of trees
- additional vehicular access too dangerous
- difficult junction with Stonebarrow Lane
- if approved-should be permanent dwellings- not holiday/second homes

1 letter of support. The main planning related points include-

- excellent and sympathetic addition to this area
- useful addition to housing stock

Further Comments Received on Amended Scheme:

2 further letters of objection/comment. The main planning related points include:

- Re-statement of earlier expressed range of objections of 14/5/21 relative to adjacent holiday business (bulk of concerns remain) as summarised below:
 - The development would harm the historic and landscape character of the designated Area of Outstanding Natural Beauty and Heritage Coast
 - There is no economic justification for the loss of the existing tourism use
 - The development would frustrate the proper planning of the area
 - There is no evidence, reason or justification to depart from the Strategic Housing Approach of the Development Plan to allow for housing in this countryside location outside the settlement boundary
 - The development would create amenity issues that could impinge on our client's business operation
 - The development would provide substandard housing.
- concern of impact of residential use on the efficient operation and continued viability of adjacent holiday business -particularly if Stonebarrow Barn employment servicing condition is removed, resulting in a permanent residential use adjacent to commercial yard - concern over potential complaints that might compromise operations, and that the scheme is contrary to policy ENV16 - Amenity. Maintenance yard cheek-by- jowl with windows in Stonebarrow Barn
 - inaccuracies in applicants planning statement
 - scheme unacceptable in principle and in context of national and local Planning policy
 - divided gardens and excessive parking out of character
 - removal of trees/hedging detrimental to flora and fauna
 - harm to AONB from new housing
 - construction phase-detrimental to amenity and local holiday businesses

Full copies of all letters of representation can be viewed on the Dorset Council website.

9.0 Relevant Policies

West Dorset, Weymouth and Portland Local Plan 2015

SUS1 The level of economic and housing growth
SUS2 Distribution of development
SUS3 Adaptation and re-use of buildings outside defined development boundaries
ENV1 Landscape, seascape and sites of geological interest
ENV2 Wildlife and habitats
ENV4 Heritage Assets
ENV5 Flood Risk
ENV7 Coastal Erosion and land instability
ENV9 Pollution and contaminated land
ENV10 Landscape and townscape setting
ENV12 Design and positioning of buildings
ENV13 Achieving high levels of environmental performance
ENV15 Efficient and appropriate use of land
ENV16 Amenity
ECON3 Protection of other employment sites
HOUS1 Affordable Housing
COM7 Safe and efficient transport network
COM9 Parking standards in new development

National Planning Policy Framework 2021

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
16. Conserving and enhancing the historic environment

Decision-making

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Other material considerations

AONB Management Plan 2019-2024
West Dorset Landscape Character Assessment
Design and Sustainable Development Guidelines
Bournemouth, Dorset and Poole Parking Standards

10.0 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.

11.0 Public Sector Equalities Duty

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. Parking spaces are generally provided relatively close to dwellings which will assist the elderly or less able.

12.0 Climate Implications

12.1 The construction phase would include the release of carbon monoxide from vehicles and emissions from the construction process. Energy would be used as a result of the production of the building materials and during the construction process. However, this must be balanced against the opportunity to provide housing in a sustainable location. A condition will be added to include electrical vehicle charging scheme.

12.2 Additionally, the applicant has provided a Renewable Energy Statement. This includes for example 3 electrical charging points, the new-build including solar panels and insulation double the thickness of conventional cavity wall construction. All the properties are to have energy efficient boilers and all will have water butts.

13.0 Planning Assessment

Principle of development-

13.1 The village of Charmouth has a defined development boundary in the adopted Local Plan. This is because it has a range of facilities and services, including a primary school, shops, cafes, etc.

13.2 The spatial strategy in the local Plan is set out in policy SUS2. This has a three-tiered approach, with the main towns of Weymouth and Dorchester as the highest

priority locations for new development and elsewhere the market/coastal towns, Portland and Crossways being a focus for future development at the second tier in the hierarchy. At the third tier, the policy states; *“Development in rural areas will be directed to the settlements with defined development boundaries, and will take place at an appropriate scale to the size of the settlement”*.

13.3 Policy SUS2 also advises that development outside of Defined Development Boundaries will be “strictly controlled” and limited to the exceptions listed in bullet point iii) of the policy. This includes affordable housing, but not open market housing. Therefore, the provision of open market housing on the site is contrary to SUS2 as it lies outside of the DDB for Charmouth.

13.4 However, the council’s policies/strategies in respect to the delivery of homes are not up to date and therefore ‘the presumption of favour of sustainable development’ in national planning policy is engaged. The council’s strategy for meeting housing need is outlined in parts I), II) and III) of Policy SUS2 of the 2015 adopted local plan. The location for the proposed new dwelling (i.e. on a site which is not specifically allocated for development in the local plan and which is outside existing defined development boundaries) are inconsistent with parts I) and II) and do not satisfy any of the exceptions listed in part III).

13.5 However, five years have now elapsed since the local plan was adopted in October 2015 – in order to maintain the supply and delivery of new homes paragraph 74 of the NPPF states that the council is obliged to identify ‘...a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.’ Using a Local Housing Need Figure, the council’s most recent ‘Five-year housing land supply April 2020’ states that ‘...the council can demonstrate a supply of deliverable sites equivalent to 4.93 years.’ (Paragraph 4.1.3). Because the council is not able to demonstrate a five-year supply of deliverable housing sites, parts I), II) and III) of Policy SUS2 cannot be considered as up-to-date when assessing the proposals for new dwellings. In accordance with paragraph 11d) of the NPPF planning permission should be granted for the proposed dwellings unless: “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.’

13.6 Whilst outside the defined development boundary it is only 162m away. The site is consequently well related to the settlement of Charmouth. The proposed homes will contribute to meeting the needs for new homes in this part of Dorset without adverse impacts on the local environment in a location which will allow the occupants of the development to access existing services/facilities in the nearby town.

13.7 The likely fragility of the Councils’ housing land supply in the Local Plan was foreseen by the Local Plan Inspector who stated: *The overall number of dwellings derived from the various sources of supply is unlikely, however, to be sufficient to meet housing targets to the end of the plan period making it necessary for the Councils to identify further land.”*

13.8 As a consequence of this tenuous position, the LP Inspector advised; *It is therefore important that the Councils closely monitor the delivery of new dwellings and take advantage of every reasonable opportunity to improve their short term supply position as well as the overall amount of housing for the plan period.*" [my emphasis] (para.106).

13.9 Whilst the Council is progressing a new Dorset Council Local Plan this is at a relatively early stage and therefore currently carries little weight.

13.10 Consequently, there remains a clear need in your officer's opinion not to continue to apply 'full rigour' to Policy SUS2 and to look for opportunities to bolster the housing supply where these are consistent with the remaining policies in the Local Plan, in particular Policy INT1 which promotes sustainable development. In this regard the site is just 162m from the Charmouth defined development boundary. Given the range of facilities and services the Local Plan regards Charmouth as a sustainable location for further development where this takes place in rural areas, subject to this being at an appropriate scale to the size of the settlement as advised in Policy SUS2. In these circumstances, it is considered that the Council should regard the site as a sustainable location for further development and that the principle of new-build is acceptable in this context. The proposal also includes the re-use of the existing Manor as 5 residential units. Policy SUS2 of the Local Plan allows for the re-use of existing rural buildings for open market housing hence this is also acceptable in principle.

13.11 Representations have made reference to the loss of employment from the site. Policy ECON6 of the Local Plan refers to retention of hotels and guesthouses. However, the site is neither of these uses so the policy does not apply- it is a self-catering holiday unit-albeit a large one.

13.12 Regarding Stonebarrow Barn, when the Manor became a holiday unit in 2002 a planning condition was placed on the Barn close-by to limit occupation to persons engaged in the servicing of the holiday unit (condition 4 of 1/W/2002/0886). The condition reads:

The occupation of the cottage shall be limited to a person engaged to work (including a self-employed person) on a full-time or near full-time basis within the property known as Stonebarrow Manor, in connection with the provision of holiday accommodation, together with the immediate family of such person and any dependants residing with such person.

Reason: The site is in an area where new dwellings would be contrary to the provisions of the approved Development Plan and normally would not be permitted.

13.13 Whilst this can be regarded as an element of employment it is very limited in its scope as it would involve just one person servicing just one holiday unit. Consequently, it is not considered expedient to retain the condition linking occupation to employment relating to servicing the Manor building. It should also be noted that the Barn has effectively been used as a dwelling and would simply continue as such under this scheme. Furthermore, under current practice it would not normally be necessary to require a unit of serviced accommodation on site with a

self-catering holiday unit in any event. Moreover, the Development Plan scenario is quite different 19 years on due to the shortfall in housing land supply.

13.14 Representations have also been received expressing concern at the absence of affordable housing within the scheme. The council on smaller sites such as this does not require on-site provision but *does* seek to secure financial contributions towards affordable housing off-site. The site does benefit from vacant building credit in relation to the existing building which would be converted. The scheme involves a net gain of 6 more dwellings and the contribution is based on 35% provision minus the vacant building credit. Accordingly, this development can provide a contribution of £36,228.62 towards affordable housing. This would be secured by a planning obligation.

Effect on Visual Amenity and Area of Outstanding Natural Beauty-

13.15 The site lies within the Heritage Coast and Area of Outstanding Natural Beauty (AONB). It is also visible from the adjacent Charmouth Road and Stonebarrow Lane. As it is a visually sensitive site any development needs to be handled carefully. The scheme has been reduced from 9 to 7 dwellings. New-build elements are limited comprising 1 new detached unit between the Barn and Manor, and a first floor extension and roof alteration to the Manor and a ground floor extension to the proposed unit 5 (to rear of Manor). Development has been deliberately kept away from the boundaries/boundary tree planting and is acceptable relative to the TPO'd trees within the site. The new detached unit has been sited to allow an appreciable distance from the two buildings and is of a similar height. This coupled with the shorter frontage length helps to assimilate the building as slightly subservient in mass to the other buildings. The design is more contemporary although it picks up on more traditional finishes with render/timber-clad elevations under a slate roof. The Manor would have certain frontage window openings converted to doors for the proposed units, although the principle central door/entranceway would be retained. There is an historic natural stone walled garden to the rear of the Manor; this would be retained and used as garden for two of the units. Additional gravelled parking areas would be provided for car parking adjacent to the units, with the existing parking area on the site continuing as a car parking area. About half the current gravelled area in front of the barn would be replaced by a lawn.

13.16 The site has a wide relatively open largely grassed frontage to Charmouth Road with a number of trees- particularly to the western end of the site. This area would be kept free of significant built development with the area divided only by post and wire fencing or hedgerows. A frontage hedgerow would be planted along the roadside, and continued on a slightly set-back line, parallel with the frontage to the Barn.

13.17 It is considered that the siting, design and materials are visually acceptable on this site. Furthermore, the scheme will include retention of the important trees/vegetation and will include significant further planting.

13.18 The site lies within the AONB; the location is close to other development including dwellings and a large holiday park. As such the scheme sits within a more

developed context. In these circumstances it is considered that the proposals would not cause harm to the natural beauty of the Area of Outstanding Natural Beauty.

Heritage Assets-

13.19 The site includes Stonebarrow Manor and Stonebarrow Barn. Neither building is listed nor in a conservation area. They are considered to be non-designated heritage assets. Stonebarrow Barn is a traditional vernacular building and there is minimal change to the building externally. Stonebarrow Manor is a white finished stone building dating back several hundred years. The first floor extensions and modest external alterations are considered to be sympathetic to the character of the building and are acceptable; there would be minimal harm to the significance of the building.

Effect on Residential Amenity-

13.20 The most apparent immediate adjacent use is the Newlands Holiday Park to the east. This boundary is defined by a raised slope/bank mainly surmounted by mature tree cover. Moving northwards along this boundary the site is adjacent to the plant storage and compost area of the holiday park, with parking areas further north. To the east of the Barn is a machinery workshop/maintenance building, together with an open yard with an area for recycling materials and recycling bins adjacent to the Barn's gable end. The operators of the holiday park have expressed concern over the potential of occupiers of the Barn complaining over the activities that take place here as part of the running of the holiday park. However, whilst the condition on the barn stipulates that the current occupiers occupancy relates to servicing the holiday unit -it has of course been occupied as a residential dwelling -and that type of occupancy would not change with the removal of the condition. From site visits to both sites the case officer did not see any significant issue that would prevent a satisfactory relationship between a dwelling here and the uses close by on the holiday park. There are two existing higher level small windows on the gable end with views facing into the maintenance yard. They both serve wc's and this would continue to be the case. In fact, the relationship is likely to be improved as the applicant has indicated the transparent glass would be replaced with obscure glazing. There would be some changes to the internal layout but externally the Barn would remain as at present. To the front of the barn there is an existing c1.7m high natural stone all which helps provide some privacy from this adjacent yard.

13.21 There are dwellings on the opposite side of Stonebarrow Lane although the distance and relative sitings do not give rise to residential amenity related issues. The conversion of the Manor itself has been designed in such a way that no unacceptable overlooking of adjacent units/gardens would occur. The scheme is considered acceptable in residential amenity terms.

Flood-risk and Drainage-

13.22 The site lies almost entirely within flood risk zone 1(lowest risk) - with a very small area at the north-west corner in zone 2. No built development is proposed in

zone 2. A Flood Risk Assessment has been provided and the Council's Flood Risk Management Team are content with this. The Coastal Risk Management Officer referenced the Environment Agency (EA) surface water mapping in his comments. A consultation has been passed to the EA, although they may not offer comment given the low flood risk designation. The applicant is however currently preparing a surface water drainage strategy for the site. This is likely to be addressed by a planning condition subject to the comments of the EA.

Land Stability-

13.23 The site lies in Land Stability Zone 3. A Geotechnical Report has been submitted and assessed by the Council's Flood and Coastal Erosion Risk Management Division. The Project Engineer considers the report acceptable and the recommendations in it to be sound and should be followed. He also advises collected surface/rainwater should be discharged to a piped drainage system (soakaways should not be used). The Project Officer, Coastal Risk Management and the Building Control Officer have also reviewed the further amended report and agree with the conclusions stated.

Ecology-

13.24 The applicant has submitted a biodiversity plan to the Natural Environment Team (NET). The comments of the NET Team are currently awaited.

Highways-

13.25 The scheme had originally proposed an additional access onto Stonebarrow Lane. However the scheme has been amended and now the existing vehicular access would be used. The Highways Officer has been re-consulted and advises that acceptable visibility is available at the existing access given the nature of the highway in this vicinity. The scheme provides 17 car spaces and the Highways officer considers this sufficient. He raises no objection to the scheme subject to conditions including parking layout, visibility splays and no gates obstructing access. The scheme is considered acceptable in highway safety terms.

Officer Comments on Parish Council Observations:

(Note: these comments mainly focus on comments made in relation to the amended scheme as most relevant)

13.26 Char Valley Parish Council- The council are concerned that the proposal includes no affordable housing. However, as outlined earlier in the report; the council on smaller sites such as this (between 6 and 9 units) does not require on-site provision but *does* seek to secure financial contributions towards affordable housing off-site. The site does benefit from vacant building credit in relation to the existing building which would be converted. However, this development can provide a contribution of £36,228-62 towards affordable housing. This would be secured by a planning obligation.

13.27 There is concern at the loss of tourist-related employment from the barn; however, this is a minimal employment provision and there is no relevant policy to reasonably resist a change of use of the Manor to residential. Consequently, there is a lack of justification to retain the employment-related planning condition.

13.28 The Council objects to housing outside the defined development boundary (DDB). However, as explained in the “principle of development” section earlier, the absence of a 5 year housing land supply provides a justification for supporting the scheme as it is in a sustainable location very close to the DDB. They are concerned the new dwelling near the historic Manor will detract from its setting. However, it would be over 11m way, at a lower height and markedly smaller mass. As such, it is considered it would have an acceptable effect on the setting of the Manor. They also consider there would be dangerous extra traffic on the access road. However, the highways officer advises that there is no objection to the amended scheme subject to conditions.

13.29 Charmouth Parish Council (adjacent parish)- They are pleased that what they considered to be overdevelopment is addressed by the removal of 2 dwellings, but want to see affordable homes included. They have concerns over access given number of vehicles. These two concerns are addressed by the officer comments in the foregoing section above.

14.0 Conclusion

14.1 This scheme represents an opportunity to provide 7 open market dwellings in a sustainable location close to Charmouth; it would be a useful boost to housing provision with only modest change to the amount of built development and would provide £36,268.62 towards affordable housing provision.

14.2 The scheme is acceptable in highways terms. In terms of the economic sustainability objective, the scheme would provide employment during the construction phase, and occupiers are likely to help support the various local business and services in the Charmouth area. In social terms, occupiers may have involvement with community facilities in the locality. Regarding the environmental objective the scheme respects the character of the existing buildings and their setting; the siting, design and materials are considered acceptable in the Heritage Coast and the Area of Outstanding Natural Beauty.

15.0 Recommendation

Recommendation A: That the committee be minded to delegate authority to approve to the Head of Planning subject to planning conditions, and a planning obligation to address an affordable housing contribution of £36,228.62 and subject to the comments of the Natural Environment Team, and to any comments of the Environment Agency stating that they have no objection or no comments being received from them by 3/11/21 and imposing any additional conditions requested by them which in the view of the Head of Planning are necessary and that the Head of Planning determine the application accordingly.

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

Proposed site plan MOD-85-05B

Proposed Floor plan and elevations MOD-85-04B

Proposed floor plan and elevations for new build dwellings MOD-85-06B
Existing and proposed street scenes MOD-85-07B

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

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

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

3. No development above damp proof course shall take place until full details of the external walling and roofing materials for the development shall first have been submitted to and approved in writing by the local planning authority. No windows shall be replaced/installed until details of the materials and external finish shall first have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed materials. The agreed external render colour of Stonebarrow Manor shall be permanently retained thereafter unless otherwise agreed in writing by the local planning authority

REASON: In the interests of visual amenity, and to ensure a unified appearance to the Manor building.

4. No dwelling shall be first occupied until the means of enclosure for the site shall have been erected, all in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. The agreed means of enclosure shall be permanently retained thereafter.

REASON: In the interests of visual amenity.

5. No development shall be commenced until the existing trees have been protected in accordance with the details set out in the Arboricultural Method Statement – 13/9/21 setting out how the existing trees are to be protected and managed before, during and after development. Thereafter the development shall be carried out in accordance with the Method Statement and the protections measures maintained for the duration of the development. The local planning authority shall be notified in writing within 1 week of the protective tree fencing having been erected.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

6. Prior to the commencement of any development hereby approved, above damp course level, full details of both hard and soft landscape works and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The soft landscaping details shall include a new native species roadside hedge and a specimen landscape tree to replace T1. These details shall include where relevant: proposed

finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; retained landscape features. If within a period of 5 years from the date of the planting of any tree/plant, that tree/plant or any tree/plant planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree/plant of the same species and size as that originally planted shall be replanted in the first available planting season unless the Local Planning Authority agrees in writing to any variation. The submitted details shall include details of the management and maintenance of the soft landscaping and the landscaping shall be maintained in accordance with the approved details.

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

7. Prior to the commencement of the development hereby approved a detailed surface water sustainable drainage scheme for the site, based on an assessment of the hydrological and hydrogeological context of the development including details of the maintenance and management of the surface water sustainable drainage scheme and any receiving system and shall be designed to include a plan for the lifetime of the development for its maintenance and management, 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, and a timetable for implementation shall have been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented in accordance with the submitted details and timetable for implementation. The scheme shall be managed and maintained thereafter in accordance with the approved details.

REASON: To prevent the increased risk of flooding and to ensure the future maintenance of the surface water drainage system.

8. The development thereby approved shall be carried out in accordance with the submitted Flood-risk Assessment Statement received 29/9/21.

REASON: To minimise flooding risk.

9. No development above damp proof course level shall take place until a detailed scheme to show how collected surface/rainwater is to be discharged to a piped drainage system on the site shall first have been submitted to and approved in writing by the local planning authority (soakaways are not permitted). The development shall not be first occupied until the agreed scheme shall have been installed. The scheme shall be permanently retained thereafter.

REASON: To assist satisfactory surface water drainage and minimise land stability risk.

10. The development hereby approved shall be carried out in accordance with the PCRM Ground Stability Assessment and Recommendations (6/10/21).

REASON: To minimise risk of land instability.

11. No development above damp-proof course level shall be carried out until a detailed scheme to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development has been submitted to and approved in writing by the local planning authority. The submitted details shall include a timetable for the implementation of the scheme. Thereafter the development shall be carried out in accordance with such details and timetable as have been approved by the local planning authority.

REASON: to ensure that adequate provision is made to enable occupiers of and visitors to the development to be able to charge their plug-in and ultra-low emission vehicles.

12. The development hereby approved shall be carried out in accordance with a bio-diversity plan which shall first have been submitted to and approved in writing by the local planning authority. The bio-diversity plan shall include a timetable for implementation and thereafter the development shall be carried out in accordance with the approved timetable.

REASON: In the interests of enhancing bio-diversity.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) (except for the alterations permitted by this application) there shall be no external alterations or enlargements to the front (north) elevation of Stonebarrow Manor without the prior written approval of the local planning authority.

REASON: In the interests of ensuring an overall unified visual appearance to the front elevation of the Manor.

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

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

15. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

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

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

Informatives-

-NPPF approval

-S106/UU

-CIL

-Street-numbering

Recommendation B: That the committee be minded to delegate authority to the Head of Planning to refuse permission for the reasons set out below if the legal agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning and that the Head of Planning determine the application accordingly:

In the absence of a satisfactory and completed section 106 agreement or unilateral undertaking the scheme would make no provision for a contribution to affordable housing in the locality and as such the development is contrary to Policy HOUS1 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2021).