

**1.0 Application Number:** 6/2020/0560

**Webpage:** [Planning application: 6/2020/0560 - dorsetforyou.com](https://www.dorsetforyou.com/planning-application/6/2020/0560)

**Site address:** Spyway Orchard Barn, Durnford Drove, Langton Matravers, BH19 3HG

**Proposal:** Convert and extend existing barn into 4x2 bedroom residential units with parking. Reuse existing access

**Applicant name:** Mr R Turner

**Case Officer:** Alexandra Dones/Elizabeth Adams

**Ward Member:** Councillor Cherry Brooks

**1.1 Reason the application is being considered by the Committee:**

The Nominated Officer has identified this application to come before the Planning Committee in light of the request made by Cllr Brooks, the Ward Member, and given that the parish council has concerns about the proposed scheme, noting that the proposals will result in conversion and extension to provide 4 dwellings, and there are matters of planning judgement involved.

**2.0 Summary of recommendation:**

That the Committee be minded to GRANT planning permission for the application subject to the conditions set out in the report

**3.0 Reason for the recommendation:**

- Paragraph 11 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 proposal will contribute to housing delivery in the Purbeck Area and will reuse an existing building whilst avoiding harm to assets of particular importance, namely the Dorset Area of Outstanding Natural Beauty and internationally designated Dorset Heathlands.
- There are no material considerations which would warrant refusal of this application

**4.0 Key planning issues**

Issue	Conclusion
Principle of development	Acceptable as the proposal will reuse an existing building and contribute to housing delivery.
Scale, design, impact on character and appearance	Acceptable, subject to conditions.

Impact on highway safety, access and parking	Acceptable, subject to conditions.
Flood Risk and Drainage impacts	Acceptable, subject to conditions.
Impact on internationally designated heathland	Acceptable, subject to legal agreement.
Biodiversity impacts	Acceptable, subject to conditions.
Impact on trees	Acceptable, subject to conditions.

## 5.0 Description of Site

- 5.1 The application site comprises approximately 0.08 hectares of land to the south of the village of Langton Matravers, accessed via an unmade section of Durnford Drove which also serves Langton House and the National Trust car park. The application site is located within an Area of Outstanding Natural Beauty (AONB) and Heritage Coast.
- 5.2 The site previously formed part of a wider site 'Spyway Orchard' which has been subject to a number of planning applications over the years. Most recently an application for a rural exception site has been approved (outline reference: 6/2015/0687). 28 dwellings and associated access, parking and landscaping etc. are currently under construction. The approved plans show the retention of trees around the current application site providing visual separation.
- 5.3 The application site is on a gentle hillside so is slightly elevated compared to the development on Spyway Orchard.
- 5.4 The existing building is an agricultural barn approx. 18m by 9m with a shallow pitched apex roof approx 4.8m. It stands in a hardsurfaced yard.

## 6.0 Description of Development

- 6.1 The application proposes to extend the property in height by 1.6m, replacing the existing roof with a part pitched, part flat roof. A front gable and roof overhang will also project further 1.6m forward of the existing building.
- 6.2 The extended building will be subdivided to create four residential units, each with 2 bedrooms.
- 6.3 The dwellings will be served by the existing access. 6 parking spaces and a bin storage area are proposed in front of the building. Each unit has a modest 4m deep garden.

- 6.4 It is proposed to finish the building with vertical boarding above a Purbeck stone plinth and natural slate tiles. Conservation style rooflights will be used to light the first floor.

## 7.0 Relevant Planning History

The site has been included within applications for the wider Spyway Orchard site, most recently:

6/2015/0687- Outline Application - Rural exception site for a development of 28 dwellings (22 affordable and 6 open market) - All matters reserved- granted at appeal

6/2018/0606 Rural exception site for a development of 28 dwellings (22 affordable and 6 open market) - Reserved Matters - access, layout, appearance, scale & landscaping- Granted

The application for the conversion extension and change of use of the barn to residential was subject to pre-application advice (PAP/2020/0007) in summary the proposal was considered by officers to be acceptable in principle subject to criteria set out in policy CO (countryside) of the Purbeck Local Plan are met. Any application should include tree information and landscaping plan.

## 8.0 List of Constraints

- The site is covered by a Tree Preservation Order (TPO). There are several trees including Plane, Beech, Lime, Sycamore, Ash, Hornbeam, Cedar, Holly, & Chestnut.
- The site is located within the Dorset Area of Outstanding Natural Beauty.
- The site is located within 5km of European Habitats (SSSI).
- This property is within the Purbeck Heritage Coast.

## 9.0 Consultations

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

### Consultees

- **Natural England (received 13<sup>th</sup> September 2021)**

No objection subject to mitigation being secured.

The site lies within 5km and beyond 400m of Studland & Godlingston Heath which is notified as a Site of Special Scientific Interest (SSSIs) for the special interest of its heathland habitats and associated plant and animal species. Studland & Godlingston Heath SSSI is also part of the Dorset Heathlands Special Protection Area (SPA) and Dorset Heath (Purbeck & Wareham) & Studland Dunes SAC and Ramsar. Heathland

Infrastructure Project mitigation and Strategic Access Management and Monitoring contributions should be secured.

Advised that a bat survey should be undertaken and encouraged biodiversity enhancement.

- **Dorset AONB (received 19 February 2021)**

Does not wish to provide detailed comments due to the size of the scheme but noted that the application sits alongside the consented housing scheme at Spyway Orchard which included a landscape buffer to mitigate views of the development from the south. Suggested that the new scheme should include suitable landscape measures to achieve a meaningful relationship with the neighbouring landscape buffer.

Also noted that the internal division and layout of the buildings suggests that the properties may not readily serve as permanent dwellings.

- **Planning Policy Officer (received 4 March 2021)**

Advised that officers should consider whether the proposal represents reuse which may be acceptable under policy CO or replacement. Reminded officers that insufficient homes have been delivered in the Purbeck area in two of the last three years so planning policies relating to the distribution of development and provision of housing in Purbeck are no longer up to date for the purposes of paragraph 11 of the NPPF.

- **Design and Conservation Officer (received 2 March 2021)**

No conservation objections. The site falls outside of the Conservation area and there are no heritage assets that are to be adversely impacted by the proposals. The design appears to be sympathetic subject to quality of materials.

- **Tree Officer (received 16 June 2021)**

No trees are scheduled for removal. Proposed pruning of an overhanging tree will not have a significant impact on screening afforded by the trees. No objection subject to conditions to require implementation of the Arboricultural Method Statement, submission of final details of hard surfaces and walls/enclosures including the bin store, confirmation of service routes and drainage scheme.

- **Highways Officer (received 18 February 2021)**

The Highway Authority recognises the development is a conversion of an existing barn and therefore has previous use associated and considers that the proposals do not present a material harm to the transport network or to highway safety and consequently has no objection subject to securing the parking and turning area by condition.

- **Drainage Engineer (received 15 February 2021)**

No objection subject to conditions.

The site lies within flood zone 1 but there is the potential for surface water flooding problems in extreme events in the adjacent road and further down in the catchment. Water disposal is to be dealt with using deep bore soakaways which would be a satisfactory solution subject to further details to ensure that flooding problems are not exacerbated elsewhere. A condition should be imposed. (officer note: conditions 3 & 8)

- **Councillor Cherry Brooks (received 10<sup>th</sup> February 2021)**

Request the application is presented to committee due to 'concern in the village that this was an intentional move by the landowner to remove the number of houses from a previously rejected application and that the RES boundary was altered to encompass the previously approved application for affordable housing'

- **Parish Council (received 2 March 2021)**

Object (summarised)

- Policy CO (Countryside) does not apply in this case. The NPPF is explicit that the policy affecting the conversion of farm buildings does not apply in AONBs, SSSIs and Heritage sites (e.g. Jurassic coast).
- Failure to make a positive contribution to landscape character and enhance biodiversity as required by Policy CO. 'The NPPF does not permit development in the countryside "*if the development would result in the external dimensions [... ]extending beyond dimensions of the existing building*". As the dimension of the proposed building do exceed the existing building then again the development is not permitted under the NPPF.'
- Lack of affordable housing- policy RES applies.
- Adverse impact on nature conservation and biodiversity (including the effect on trees). Inadequate biodiversity appraisal fails to address bats.
- Layout and visual appearance. This development alongside the already approved Spyway Orchard development is an over-development having a negative impact on the surrounding countryside/AONB. The proposed design is not in keeping with the existing Langton Matravers vernacular style nor is it in keeping with the neighbouring Spyway Orchard development.

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- Emerging policies (environmental and climate change). The proposed design is not in line with Dorset's emerging policies on the environment and the climate change emergency.

### **Summary of Local Representations received**

The application was advertised by means of a site notice displayed on 28 January 2021 and by letters sent to neighbours.

The Council received 3 responses from neighbours about the application:

- Flood risk concerns- the area has a history of flooding
- Failure to enhance setting and disproportionate additions to the original building
- Harm to AONB
- Highway safety issues- the road is a single track road with a gully. Issues of erosion and use by a significant number of vehicles accessing holiday cottages and National Trust Car Park.

## **10.0 Relevant Development Plan Policies**

### **Purbeck Local Plan Part 1:**

Policy SD: Presumption in favour of sustainable development

Policy CO: Countryside

Policy LD: General location of development

Policy HS: Housing Supply

Policy D: Design

Policy LHH: Landscape, historic environment and heritage

Policy BIO: Biodiversity and geodiversity.

Policy FR: Flood risk

Policy IAT: Improving accessibility and transport.

### **Other material considerations:**

#### **Emerging Purbeck Local Plan 2018 – 2034**

Officers have considered the emerging Purbeck Local Plan when assessing this planning application. The plan was submitted for examination in January 2019. At the point of assessing this planning application the examination is ongoing

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following hearing sessions and consultation on proposed Main Modifications (carried out between November 2020 and January 2021). The council's website provides the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, council and other interested parties). Taking account of Paragraph 48 of the National Planning Policy Framework, the plans progress through the examination and the council's position following consultation on proposed Main Modifications, at this stage only very limited weight can be given to this emerging plan.

The following policies of the emerging Local Plan are considered relevant to the application but cannot be given any significant weight in the decision-making process:

E1: Landscape

E12: Design

E8: Dorset Heathlands

E10: Biodiversity and geodiversity

I2: Improving accessibility and transport

I3: Green infrastructure, trees and hedgerows

H14: Second Homes

**National Planning Policy Framework:**

Section 2: Achieving sustainable development

Section 4: Decision making

Section 5: Delivering a sufficient supply of homes

Section 9: Promoting sustainable transport.

Section 11: Making effective use of land;

Section 12: Achieving well-designed places;

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

Section 15: Conserving and enhancing the natural environment.

National planning practice guidance

National Design Guidance

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Purbeck District design guide supplementary planning document adopted  
January 2014.

Purbeck Strategic Flood Risk Assessment 2018

Dorset Heathlands Planning Framework 2020- 2025 Supplementary Planning  
Document

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

### **11.0 Human rights**

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

### **12.0 Public Sector Equalities Duty**

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

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

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

During the construction process the increase in traffic and noise is likely to have  
a greater impact on any neighbouring residents who, as a result of disability or  
age, are unable to leave their homes. The completed dwellings are judged  
unlikely to result in any disadvantage.

### **13.0 Financial benefits**

What	Amount / value
Material Considerations	



None	None
Non Material Considerations	
CIL contribution	Approx. £31,140
Council Tax	Approx. £7,705.72 Based on average Council Tax Band D.

#### 14.0 Climate Implications

The proposal is for four new dwellings to be created from the extension and conversion of an existing building located close to but beyond the Langton Matravers settlement boundary. The properties will utilise an existing building, will be constructed to current building regulation requirements and will be serviced by suitable drainage to prevent any additional impact on terms of flood risk that may be exacerbated by future climate change.

#### 15.0 Planning Assessment

15.1 The main planning considerations in respect of this application are:

- Principle of development
- Impact on habitat sites/ SSSI Dorset Heathland
- Affordable housing
- Scale, design, impact on character and appearance of the area
- Impact on the living conditions of the occupants of neighbouring properties
- Highway safety, access and parking
- Flood Risk and Drainage impacts
- Biodiversity impacts
- Impact on trees

These and other considerations are set out below.

##### **Principle of development**

15.2 The Parish Council has raised concerns about the principle of the proposal, suggesting that the National Planning Policy Framework precludes conversion of agricultural buildings within Areas of Outstanding Natural Beauty (AONB). Whilst agricultural buildings within the AONB cannot benefit from permitted development to convert dwellings under the Town and Country Planning

(General Permitted Development) (England) Order, there is no national policy against conversion. Each proposal has to be considered on its merits against the policies of the Local Plan that is in force and the provisions of the National Planning Policy Framework.

- 15.3 Policy CO (countryside) of the currently adopted Purbeck Local Plan Part 1 generally discourages new development outside of the main settlement boundaries as it is considered to be a less sustainable location for development compared to towns, villages and other recognised settlements. There are however exceptions to this, and one of those is the 'reuse of rural buildings'. Policy CO states that *'the reuse of rural buildings of permanent and substantial construction (demonstrated through the submission of a structural survey) will be permitted provided they are for employment (use classes B1, B2 or B8), tourist accommodation or community facilities. Conversion to housing may also be permitted, provided it would lead to an enhancement of the immediate setting'*. The application has been submitted with a structural survey that confirms the structural integrity of the building; it is capable of conversion. The impact on the setting is considered later in the report.
- 15.4 Policy CO requires that where buildings in the countryside are being extended these should not result in disproportionate additions and should not detract from the character or setting of the original building. To facilitate two storey accommodation the roof of the building is to be raised and extended and a modest projection forward of the existing southern elevation will introduce a gable feature for unit 3, with overhanging eaves on the front of the other units. The proposed extensions are judged proportionate to the size of the original building. The impact on the character of the area and setting of the building is considered further below.
- 15.5 Notwithstanding the requirements of policy CO, as the Housing Delivery Test: 2020 measurement results published in January identified that Purbeck Local Plan area had delivered only 74% of the total number of homes required, it is judged that the Purbeck housing policies are out of date in accordance with National Planning Policy Framework (NPPF) footnote 7. Where housing policies are the most important for determining the application then permission should be granted unless:
- i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

- 15.6 In this case the site lies within the Area of Outstanding Natural Beauty (AONB) so it is necessary to consider whether harm to the AONB would provide a clear reason for refusing the proposed development and/or whether there is any other significant harm arising from the proposal.

**The impact on the Area of Outstanding Natural Beauty (AONB) and character of the area**

- 15.7 The site is within the Dorset AONB and the National Planning Policy Framework (NPPF) states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs (para 176). Additionally, Purbeck Local Plan policies D 'Design' and LHH 'Landscape, Historic Environment and Heritage' require development proposals to positively integrate with their surroundings and to conserve the appearance, setting, character, interest, integrity, health and vitality of landscape assets.
- 15.8 The site is located south of the settlement of Langton Matravers and immediately adjacent to the site on which 28 rural exception houses are under construction under permission reference 6/2018/0606. It is separated from this development by trees to the north and east while trees to the south which lie off-site provide a screen with Langton House.
- 15.9 The existing building is a timber clad and breezeblock structure with a low apex roof. It is utilitarian in character and stands in a hardsurfaced yard. The building and front yard is visible from Durnford Drove via the access and from the lane during the autumn/winter period, but large deciduous mature trees obscure most of the views into the site during the spring and summer months. A Sycamore hedge along the western boundary, which is to be retained and managed, provides a screen with the lane and additional vegetation on the western side of Durnford Drove contributes to screening in wider views. As previously identified by the Inspector when considering the Spyway Orchard proposal, the location is relatively discrete within the AONB due to the presence of these trees. The proposal would have a limited impact on the setting due to the pre-existing built form and the screening offered by the trees.
- 15.10 Concerns have been raised by the Parish Council that the design is not in keeping with the locality and properties on the adjoining rural exceptions site. The local vernacular of Langton Matravers is very mixed. On the High Street (B3069) there are many older, stone, two storey, terraced dwellings with stepped roofs accommodating the rise in land level. In contrast, unmade roads such as Gypshayes and The Hyde accommodate modern dwellings, demonstrating how the village has expanded over the years.

- 15.11 The more modern dwellings in Langton Matravers are typically detached but vary greatly in terms of their size, design, height and materials. The dwellings recently approved at Spyway Orchard are arranged in two storey pairs and terraces and utilise brick, slate tiles for the roof, stone lintels and cills and uPVC windows and doors. These materials are to be mirrored in the proposed terrace which is to have slate tiles on the roof slopes, painted timber windows with stone cills and lintel details. The elevations will be a combination of Purbeck stone and natural cedar boarding which reflects the existing materials used on the barn. As a proposed barn conversion, it is appropriate that the design is different from buildings that were constructed for residential purposes.
- 15.12 The proposed roof extension to the existing building will increase its height by approximately 1.6m and although the partially flat roof is an uncharacteristic feature, Officers do not consider the form would appear incongruous or result in a harmful impact on the character and appearance of the area or the wider AONB setting. The addition to the roof allows for sufficient internal height to facilitate a first floor but limits the overall height of the building so that it is level with the height of new properties at Spyway Orchard on lower ground. The gables will also be hipped, mitigating the visual impact of the flat roof element and the increased bulk of the roof additions.
- 15.13 The AONB officer has noted that the adjoining exception site permission was granted subject to a landscaping strip approx. 5m wide along the southern edge of the site in which new tree growth in the rooting area of existing trees off site would provide reinforcement and create a screen for the development in the long term. The current proposal will benefit from that screening in views from the south east but does not propose its continuation as this area is currently hardsurfaced and is proposed to be retained for parking. Officers do not consider that the extension of the landscaping strip is necessary to make the current proposal acceptable due to existing screening and the pre-existing built form on this site. A condition to secure shrub planting to soften the proposed hard surfacing within the site is reasonable and necessary to secure some enhancement (condition 6).
- 15.14 Overall, Officers consider the proposed design and materials will not result in disproportionate additions and will not detract from the character or setting of the original building and the wider AONB. Although it would be difficult to identify any significant enhancement to the immediate setting as required by policy CO, neither would it result in harm. The proposal will integrate with its surroundings and contribute to housing supply.

**The impact on trees**

- 15.15 The application is accompanied by an Arboricultural Method Statement which identifies four trees of very poor quality in the vicinity of the site. It is noted that no trees are scheduled for removal to implement the proposal & no access facilitation works are stated as necessary.
- 15.16 The Arboricultural Officer has been consulted regarding the proposals and has raised no objections subject to a condition ensuring adherence to the Arboricultural Method Statement (condition 6). The Arboricultural Officer also recommended requesting further information regarding the hard standing areas via planning condition (condition 7) which is reasonable and will also ensure the proposal is visually acceptable in terms of its character and impact on the AONB.

**The impact on biodiversity**

- 15.17 The submitted biodiversity report accompanying the application contended that due to the form of the barn a bat survey is not required, however, as the proposals involve the reconfiguration of an existing building Natural England required that a bat survey should be undertaken by a suitably qualified individual and this was subsequently undertaken. No evidence of bats or other protected species was found and the building has negligible bat roosting potential due to its draughty and relatively light interior, but the need to minimise external lighting was identified. There are also opportunities for biodiversity enhancement including opportunities for bats in the new roof, bird boxes and bee bricks. This biodiversity mitigation and enhancement can be secured by condition to accord with NPPF para 179.
- 15.18 The site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and a European wildlife site. The proposal for a net increase of four residential units in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the site. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.
- 15.19 The appropriate assessment (separate document to this report) has concluded that the likely significant effects arising from the proposal are wholly consistent with and inclusive of the residential effects detailed in the Dorset Heathlands Planning Framework Supplementary Planning Document 2020-2025 (SPD).
- 15.20 The mitigation measures set out in the Dorset Heathlands 2020-2025 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and

Monitoring (SAMM). In relation to this development the Council will fund the HIP and SAMM provision via the Community Infrastructure Levy. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.

- 15.21 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 policy DH and the SPD.

#### **The impact on highway safety**

- 15.22 The proposal will utilise the existing, established vehicular access to the site which also serves Langton House and the National Trust car park so is in regular use. The Highways Officer has raised no objections to the use of this access for the proposed scheme subject to a condition requiring the turning and parking areas are constructed as per the submitted plans. The proposals will provide 6 parking spaces for 4 two bedroom dwellings which accords with the Dorset residential car parking guidance for allocated spaces. The lack of visitor parking spaces can only be given modest weight in the planning balance.

#### **Other issues**

##### **Affordable housing**

- 15.23 The Parish Council and neighbours have raised concerns regarding the lack of affordable housing provision. This site is not a rural exception site and involves an extension to and the change of use of an existing building to provide only 4 dwellings therefore in accordance with both national policy and Local Plan policy RES no affordable housing contribution is required.

##### **Amenity of future occupiers**

- 15.24 The dwellings are modest in size, and officers have considered the proposed internal floor area provision against national standards set out in DCLG guidance 'Technical housing standards – nationally described space standard' 2015. Units 1, 2 and 4 each have a total internal floor space of approx. 74sqm and unit 3 has a floor area of 84sqm. Although part of the first floor accommodation will be under a sloping roof, the size is similar to the 70sqm floor area requirement set out in Table 1 of the DCLG guidance for a two storey, three person property.
- 15.25 The gardens vary in size; the smallest is approximately 18sqm and the larger gardens although constrained by the tree canopy line but will provide a sitting out space for future occupiers.

- 15.26 On the basis that the Council currently has no adopted policy to require minimum floor area provision and the sizes accord with national guidance, the proposal is acceptable.

### **Sustainability issues**

- 15.27 The Parish Council raised concerns that the proposed design is not in line with Dorset's emerging policies on the environment and the climate change emergency. Whilst the proposal lies outside of the settlement it will utilise an existing building which the National Planning Policy Framework encourages as good use of resources (para 152).
- 15.28 At present the adopted Local Plan does not impose requirements for the inclusion of renewable and low carbon energy within schemes. The NPPF notes that landform, layout, building orientation, massing and landscaping should be used to minimise energy consumption (para 157b) and in this case the design utilises the south facing front elevation with the positioning of the living areas served by generous windows but with the overhanging eaves will also provide some relief in the summer.
- 15.29 The proposal is not in an area that is vulnerable to flooding and as the site is already hard surfaced it is not anticipated that the changes will increase run-off.

### **16.0 Conclusion**

In the light of the Housing Delivery test it has been necessary to consider this application against paragraph 11 of the National Planning Policy Framework. In this case the NPPF policies do not provide any clear reasons for refusing the development proposed, no significant harm to the Dorset Area of Outstanding Natural Beauty have been identified from the proposal and no adverse impacts have been identified which would outweigh the benefit to local housing supply from the provision of four additional residential units. The proposal is therefore considered to be sustainable development for the purposes of NPPF paragraph 11.

Approval is recommended subject to the conditions as set out below.

### **17.0 Recommendation:** That the Committee would be minded to GRANT planning permission for the application subject to the conditions below:

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

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

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

Project no 1504 drawing no 1, project no 1504 drawing no 2, project no 1504 drawing no 3, project no 1504 drawing no 4, project no 1504 drawing no 5 and project no 1504 drawing no RP.

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

3. Prior to the commencement of development details of surface water and foul drainage schemes for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented prior to the completion of the development.

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

4. The development must strictly adhere to the mitigation measures set out at paragraph 5.3 of the Ecological Survey by D. V. Leach dated November 2021. The development hereby approved must not be first brought into use unless and until the mitigation and enhancement/net gain measures detailed in the Ecological Survey have been completed in full, unless any modifications to the approved Ecological 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 the 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 and enhance/provide net gain for impacts on biodiversity.

5. Prior to development above damp proof course level, details (including colour photographs) of all external facing materials for the walls and roofs shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed and these materials shall be maintained for the lifetime of the development.

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



6. Prior to the commencement of any development hereby approved, above damp course level, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to first occupation. These details shall include: (i) means of enclosure; (ii) hard surfacing materials; (iii) proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines, etc indicating lines, manholes, supports, etc), (iv) planting plans.

If within a period of 5 years from the date of the planting of any tree/plant, that tree/plant or any tree/plant planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree/plant of the same species and size as that originally planted shall be replanted in the first available planting season unless the Local Planning Authority agrees in writing to any variation.

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

7. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Method Statement dated 29/10/2020 (Soundwood ref: SW/AMS/427/20) setting out how the existing trees are to be protected and managed before, during and after development.

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

8. Prior to the first occupation of any of the dwellings, details of maintenance and management of the surface water sustainable drainage scheme and the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The schemes shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage and foul drainage schemes throughout its lifetime.

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

9. Before the development hereby approved is first occupied, the turning and parking shall be constructed in accordance with the approved plans. 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 in the interest of highway safety.

**Informative Notes:**

1. Informative Note - Community Infrastructure Levy. This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice has been issued with this planning permission that requires a financial payment. Full details are explained in the notice.
2. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.
3. The planting referred to in condition 6 should include native shrubs/trees to be planted in the south east corner to soften the visual appearance of the parking area.