

<b>Application Number:</b>	P/FUL/2022/02326		
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>		
<b>Site address:</b>	Land and buildings north of Cutlers Close Sydling St Nicholas		
<b>Proposal:</b>	Demolition of existing agricultural barns and erection of 5 No. dwellings together with access, parking & landscaping. Erection of a replacement barn.		
<b>Applicant name:</b>	Mr J Alford		
<b>Case Officer:</b>	Jennie Roberts		
<b>Ward Member(s):</b>	Cllr Haynes		
<b>Publicity expiry date:</b>	5 June 2022	<b>Officer site visit date:</b>	03/08/2022
<b>Decision due date:</b>	23 June 2022	<b>Ext(s) of time:</b>	Requested (Chapman Lilly Planning) 28 <sup>th</sup> July

### 1.0 Reason for Committee

The Landowner is a Councillor.

### 2.0 Summary of recommendation:

Refuse on the grounds of sustainability, phosphates/nitrates, harm to the conservation area and Listed Buildings (designated heritage assets), and now there is now a 5-year housing land supply, which focuses new homes within Defined Development Boundaries (DDB). This site is outside of any DDB.

### 3.0 Reason for the recommendation: as set out in para 13 at end. These similar planning considerations are taken from the previous refusal in 2020 (WD/D/20/01981):

- *Located in an unsustainable location.*
- *Harm to the setting of the conservation area and setting of Listed Buildings.*
- *Harm to the setting of the AONB*
- *Harm due to phosphates/Nitrates issues*

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Sydling St Nicholas is considered an unsustainable location, with no development boundary and poor facilities and services. In addition, the proposal is considered harmful to the setting of heritage assets and does not mitigate against phosphates being released into the Poole Harbour Catchment Area. The principle is therefore unacceptable.
Scale, design, and impact on character, appearance and setting of heritage assets	It is considered that the development of the site will alter the character of this rural, edge of village site to the detriment of the character and appearance of the conservation area and result in harm to listed buildings.
Impact on amenity	Given the distance between neighbouring housing and the proposed dwellings, along with window siting and orientation, the proposal does not present any neighbour amenity issues.
Impact on AONB	It is considered that the development of the site will alter the character of this agricultural, edge of village site to the detriment of the setting of the West Dorset AONB.
Flooding	The site lies within flood zone 1 where this type of development is considered to be acceptable.
Access and Parking	The access and parking provision is considered to be acceptable and the necessary highway requirements can be secured by condition.
Biodiversity	A biodiversity enhancement plan has been submitted to and approved by the Natural Environment Team
Trees	Further information required in the form of detailed arboricultural impact assessment, arboricultural method statement and tree protection plan before assessment can be made.
Affordable Housing	Affordable housing is not required to be provided on a scheme of this size.

#### 5.0 Description of Site

This agricultural site is located on the north-eastern outskirts of the small settlement of Sydling St. Nicholas, in West Dorset. There are residential properties to the south and west of the site, whilst Waterside Lane bounds the site to the north with Back

Lane bounding the site to the east. The surrounding fields to the north and west are mainly grazing land. The site itself contains a handful of ad-hoc, relatively modern, pre-fabricated agricultural buildings with concrete hardstanding around and between the buildings and grazing land beyond the hardstanding.

## 6.0 Description of Development

The proposal is to demolish the existing agricultural buildings and erect three detached dwellings and a pair of semi-detached dwellings, as well as a new replacement agricultural barn. The three detached dwellings would front onto Back Lane, with a further pair of semi-detached dwellings situated to the south-western corner of the site. All would be of two-storey height and accessed via Back Lane, sharing a parking court. The replacement barn, which would be separated from the housing by a hedgerow, would be situated on the northern edge of the site, with its own access from Back Lane.

## 7.0 Relevant Planning History

- WD/D/19/002547 – Pre application advice. Advised that there is a concern regarding the location of the proposal in relation to sustainability and that the impact of the proposal on heritage assets would need to be considered.
- WD/D/20/001981 - Demolition of existing agricultural barns and erection of 5no. dwellings together with access, parking & landscaping, together with the construction of a replacement barn. Refused within scheme of delegation for the following reasons:

*1. Having regard to the location of the site, outside any settlement boundary, and the subsequent reliance on the occupants of the dwelling on the private car given the lack of services offered with the village, it is considered that this scheme will have a significant, negative, impact on the environment and overall will result in an unsustainable form of development. There is no overriding need to allow dwellings in this location nor does the application present a re-use of existing buildings, provide of essential rural workers dwellings, or an affordable housing scheme. As such, it is contrary to the provisions of Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.*

*2. By virtue of its built form and large-scale design of dwellings, the proposal is considered to represent undesirable development in this edge of village location to the detriment of the character and appearance of the conservation area. The proposal is therefore considered to be contrary to policy ENV4 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.*

*3. By virtue of the change of use of land to residential, eroding the edge of village character the proposal would adversely affect the setting of 5 and 6 Waterside Lane. The proposal is therefore considered to be contrary to policy*

*ENV4 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.*

*4. By virtue of its built form and large-scale design of dwellings, the proposal is considered to represent undesirable development in this edge of village location to the detriment of the setting of the West Dorset Area of Outstanding Natural Beauty. The proposal is therefore considered to be contrary to policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.*

Under the Scheme of Delegation, that application should have been taken to Planning Committee, as the site is owned by Councillor Penfold, so this latest application has been submitted so that the proposal can be decided by the committee. Since the consideration of the previous application, the Council has achieved a 5-year housing supply, which means that new housing development should again be restricted to towns and villages with a DDB.

## **8.0 List of Constraints**

Countryside location outside of a Defined Development Boundary (DDB).

Adjacent to Grade II listed buildings and within the Sydling St Nicholas Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990).

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

Poole Harbour Catchment Area

Heathland Consultation Area

Right of Way to the East of the site.

## **9.0 Consultations**

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

### **Consultees**

- 1. Wessex Water** – No objection subject to conditions.
- 2. Highways Department** – No objection “to the quantum of development” subject to conditions, in respect of vehicle access construction, crossover, etc.
- 3. Conservation Officer**– *“The proposals broadly include the construction of 3No dwellings in a linear fashion along the E side of the site fronting Back Lane, an additional 2No semi-detached dwellings to the rear of the site (behind Plot 2), and a replacement barn at the N end of the site. Though the*

*character of the S end of Back Lane has been changed in recent decades with the development of Three Acres and Cutler's Close, there is a marked shift in its character to the N of the latter, where it moves from residential to an undeveloped rural lane between the settlement to the W and the wider, elevated landscape to the E.*

*In this sense, this locality contributes to the character of the Conservation Area through illustrating its historic plan and providing a transition to the wider landscaped setting. It is significant in this respect that Back Lane represents the boundary of the CA. The quantum of development on the site, in particular the linear arrangement of buildings along Back Lane, will erode this character and its contribution to the character and appearance of the CA.*

*It is also notable that the landscaped setting of the CA can be appreciated from the elevated land to the E of the site, in particular from PRow S42/6, from where the predominant attribute is the roofscape of buildings facing the historic core. The proposed development would introduce full two-storey buildings into this view with their frontage facing out into the landscape, which would be an incongruous visual element in the scene. The visual incongruence would be compounded by the selection of red brick as the main construction material, which is not well represented in a village where stone in various forms and render predominate.*

*The proposals will result in **less than substantial harm** to the significance of a designated heritage asset, meaning that para. 202 of the NPPF is engaged, requiring the harm to be weighed against the public benefits of the proposal (including, where appropriate, securing optimum viable use). However, this balance needs to take into account the need to give 'great weight' to the asset's conservation, irrespective of the level of harm"*

- 4. Environmental Health Team –** No comments
- 5. Sydling St. Nicholas Parish Council –** *"The scheme is little changed from planning application ref: WD/D/20/001981, refused by Dorset Council in 2021, and the reasons for objecting to this proposal remain largely unchanged, including;*  
  
*Object to the application on the grounds of inadequate parking provision and unsafe access, Impact on the sewage system, question the need for a replacement barn, impact on the rural nature of the area and the lack of affordable housing provision. In addition, the village lacks the basic infrastructure such as a school, shop and doctor's surgery."*
- 6. Countryside Access Team –** No objection providing the Rights of Way are not affected during construction.
- 7. Natural England -** a Habitats Regulations Assessment is included which has been informed by the Nutrient Neutrality Methodology (provided within our

overarching advice letter). Without this information Natural England will not be in a position to comment on the significance of the impacts.

- 8. Natural Environment Team** – have signed off the Biodiversity Plan and any planning permission should condition its implementation as such.

### **Representations received**

Objections to the application has been received on the following grounds, identical to those received previously:

- The Ecology Survey is now out of date (24<sup>th</sup> March 2020);
- Setting of adjacent listed buildings
- Highway safety
- Foul water disposal
- Lack of affordable housing
- Unsustainable location
- Scale
- Design
- Layout
- Loss of views
- Overdevelopment
- Site construction issues

Support to the application has been received on the following grounds, again identical to those previously submitted:

- One objector provided a detailed list of similar housing development approvals within the village since the 1960s;
- Removal of untidy and disused site;
- The road network, in particular Back Lane and proposed parking provision is adequate;
- Flooding issues in the village were caused by poor maintenance;
- There are enough facilities in Sydling St. Nicholas;
- Sydling St Nicholas needs more housing

<b>Total - Objections</b>	<b>Total - No Objections</b>	<b>Total - Comments</b>
<b>14</b>	<b>5</b>	<b>19</b>

## **10.0 Relevant Policies**

### Development Plan

INT1- Presumption in favour of Sustainable Development

ENV1 – Landscape, seascape & sites of other geological interest

ENV2 – Wildlife & Habitats

ENV4 – Heritage assets

ENV10 - The landscape and townscape setting

ENV 12 – The design and positioning of buildings  
ENV 16 – Amenity  
SUS2 - Distribution of Development  
HOUS1 – Affordable Housing  
COM7 – Creating a safe & efficient transport network  
COM9 - Parking standards in new development  
COM10 – The provision of utilities service infrastructure

## **Other material considerations**

NPPF Chapters:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

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

- WDDC Design & Sustainable Development Planning Guidelines (2009)
- National Design Guide, Ministry of Housing, Communities and Local Government (2019)
- Cerne Abbas, Charminster, Sydling St Nicholas and Godmanstone Conservation Area Appraisal
- Dorset Area of Outstanding Natural Beauty Management Plan 2019-2024

## **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.

The proposal does not give rise to any specific impacts on persons with protected characteristics. However, the location of the proposed dwellings is not in line with the spatial strategy within the adopted local plan, as the site is outside of a defined development boundary. Therefore, occupiers of the dwellings would have to travel further to access day to day facilities and services, in a location that is not well served by public transport.

## **13.0 Planning Assessment**

### Principle of development

Policy SUS2 of the current Local Plan aims to focus residential development to meet the needs of the local area within defined development boundaries (DDBs) and take place at scales appropriate to the size of each settlement. The policy also indicates that outside defined development boundaries, development will be strictly controlled, having particular regard to the need for the protection of the countryside and environmental constraints.

The proposal does not reflect an exceptional case as prescribed by both Local Plan Policy SUS2 and guidance in the NPPF; it has not been put forward as an affordable housing proposal, nor as occupational dwellings. The proposal is therefore contrary to those policies.

Furthermore, the Council (West Dorset and Weymouth and Portland area) can now demonstrate a 5-year housing land supply (currently just under 6 years), and so the tilted balance in para 11 of the NPPF does not apply.

The NPPF sets out the three dimensions to sustainable development identified in the NPPF: economic, social and environmental objections; more discussion of these points will now follow.

### **Location of the Development**

The principle environmental issues regarding this application are the location of the site in relation to the services offered in Sydling St Nicholas and the impact upon identified heritage assets.

In respect of services, the village offers very little in the way of facilities and services. The village has a church, public house, hall and a playground. It is considered reasonable to presume the occupants of the proposed dwellings would be heavily reliant upon the private motor car to access necessary facilities in larger settlements. In addition to this, it is considered that the development of this agricultural site will be detrimental to the setting of the conservation area and adjacent listed buildings, which is discussed further in this report.

There would be some short-term economic benefits that would result from the proposal in the form of providing work for contractors and suppliers involved within the construction phase. There may be some modest, longer-term benefits by supporting local services in the nearby settlements. As such, it is not considered there would be any significant long-term economic benefits to the proposed development.

The proposal would make only a small contribution to increasing housing land supply, and would only be for open market, unrestricted dwellings and not affordable housing.

In conclusion, it is considered that this scheme does not accord with the NPPF's three strands of sustainable development and that the adverse impact to the environment by the erection of five dwellings in an unsustainable location (with regards to access to goods, facilities and services) whose occupants would be reliant on the private car, and the impact on identified Designated Heritage Assets, would significantly and demonstrably outweigh the benefits of the addition of five dwelling towards housing land supply.

The principle of development is therefore considered to be unacceptable and contrary to policy SUS2 of the development plan and the NPPF.

#### Scale, design, and impact on character, appearance and setting of heritage assets

Towards the edge of this village location, the grain of development becomes looser, and this is apparent when viewed from Back Lane to the south, where views of open countryside beyond the site can be readily achieved. In addition to this, given the site's existing agricultural use and low-level scale of agricultural - rather than residential - development, there is a gentle 'transition' into open countryside. It is considered that this is a strong characteristic within the conservation area and plays an important part in defining the edge of this section of the village.

Three of the five dwellings proposed will be located to the eastern edge of the site with their principal elevations facing onto Back Lane. These dwellings will be relatively large and be of a full two storey height. The remaining pair of semi-detached dwellings will be located to the southwest corner of the site, but all are within this low-density section of the Conservation Area.

Therefore, the development of the site in the manner proposed will significantly increase the built form and overall density of the site, and as such would fundamentally alter the existing character of this semi-rural location, as well as

longer views back into the Conservation Area from the adjacent footpath (PRoW S42/6) which rises up out of the village to the east.

Overall, this would be detrimental of the character and appearance of the conservation area, when there would be elongated views back towards the site, from an elevated position.

It has been contended that the existing site is harmful to the setting of the conservation area. Whilst there is no argument that the existing agricultural buildings on site are of any merit, this does not mean that they are harmful. As mentioned above, given the close proximity of the site to agricultural land, the agricultural uses and buildings are not incongruous, and it is therefore considered that the site as currently developed has a relatively neutral impact upon the setting of the conservation area.

Accordingly, the proposal, by virtue of its built form and large-scale design of dwellings, is considered to be detrimental to the character and appearance of the conservation area. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area; and (2) Local Plan policy.

Located to the west of the application site are two Grade II listed dwellings, 5 and 6 Waterside Lane. As previously discussed, the agricultural buildings within the application site, although of no merit, are relatively low level (in scale) and therefore generally 'neutral' in the landscape and are within an agricultural setting. This very much informs the setting of the listed buildings.

It is considered that a change to the current agricultural appearance of the site to residential, as proposed, would significantly alter the current setting of the listed buildings by removing their relatively open 'edge of settlement' character and enclosing them within a residential setting.

Accordingly, it is considered that the proposal would adversely affect the setting of 5 and 6 Waterside Lane, which the Conservation Officer has concluded would lead to less than substantial harm; this harm however, would not be outweighed by any public benefit. This conclusion has been reached having regard to: (1) section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the setting of Listed Buildings; (2) Local Plan policy and (3) paragraph 202 of the NPPF.

#### Impact on amenity

Given the distance between neighbouring housing and the proposed dwellings, along with window orientation, it is considered that the proposal does not present any overlooking or overshadowing issues to a degree that causes concern. Accordingly, the proposal is considered to sufficiently protect neighbour amenity.

### Impact on AONB.

The site lies within the West Dorset AONB. The land rises towards Cowdown Hill out of the eastern edge of the village, with a public right of way (PRoW) running along the top of Cowdown Hill, which affords longer views back towards Sydling St. Nicholas and the application site; there is little in the way of trees and/or hedging screening the site, which is readily visible from this PRoW, and seen as an introduction to the village when approached from the east.

As previously discussed, given its agricultural use, this is very much an area where open countryside gradually transitions into the village and is considered a strong characteristic within the conservation area.

It is considered that, to replace the existing, low-key agricultural buildings with large, two storey residential development will detrimentally affect the approach into the village from this public right of way. Accordingly, it is considered that the proposal would also harm the special qualities and setting of the Area of Outstanding Natural Beauty.

### Flooding and drainage

The site lies within flood zone 1 where this type of development is considered to be acceptable. Wessex water has recommended a condition is imposed to ensure details of foul drainage pipework are submitted to ensure a sealed system is installed. Accordingly, the proposal does not present any issues in this regard.

### Access and Parking

Access to the site will be via Back Lane and open onto a shared courtyard where parking will be provided. The Highway Engineer has been consulted and is satisfied that the access and parking provision is acceptable and the new access into the site can be secured by the imposition of appropriate conditions. On this basis, the proposal does not present any issue in this regard.

### Biodiversity

A biodiversity mitigation and enhancement plan has been submitted and approved by the Natural Environment Team. The plan would secure biodiversity enhancements to the site.

### Affordable Housing

Policy HOUS1 requires all new dwellings to make a 35% contribution towards affordable housing. However, affordable housing contributions will not normally be sought on sites of 5 units or fewer inside designated rural areas. As this site falls below this threshold an affordable housing contribution would not be required.

## Trees

An amended site plan, showing existing trees on the site, was submitted to the Local Planning Authority. However, unfortunately it is not sufficient to support the proposed development, as it does not contain the required information – no arboricultural impact assessment, no arboricultural method statement and no tree protection plan. This will all need to be provided before an assessment on the impact upon existing trees can be made.

## Nutrient Neutrality: Phosphates

On 16 March 2022, Natural England notified Dorset Council of their updated advice for development proposals that have the potential to affect water quality resulting in adverse nutrient impacts on internationally protected habitats sites.

This advice applies to phosphorus nutrient deposition in Poole Harbour, and as this site has been identified as falling within the Poole Harbour catchment area, it is therefore impacted by this advice.

Within the Poole Harbour catchment area, the Council has to carefully consider the nutrient impacts of new development proposals on the integrity of this habitat site, including the requirement for mitigation to achieve nutrient neutrality. The councils in Dorset have published a methodology for calculating nitrogen loads from development and a mitigation strategy for delivering nitrogen mitigation projects.

Natural England's recent guidance also refers to phosphorus, and Dorset Council is awaiting clarification from Natural England with regard to the implications of their guidance for the existing nitrogen load calculation methodology and mitigation strategy. In the interim period all applications for residential development will need to demonstrate phosphorous neutrality, and the Poole Harbour SPD (Supplementary Planning Document) cannot currently be relied upon to mitigate nutrient issues in view of the phosphorus levels in Poole Harbour resulting in unfavourable conditions.

In these circumstances, and without being able to demonstrate off-setting to ensure nutrient neutrality, the proposed development is contrary to the provisions of the Habitats Regulations 2017 and guidance contained within paragraph 185 of the National Planning Policy Framework (revised 2021), policy ENV2 of the West Dorset, Weymouth & Portland Local Plan and Natural England standing advice on nutrient neutrality.

## **16.0 Conclusion**

The village of Sydling St Nicholas does not have a defined development boundary (DDB), having little in the way of public services or facilities. As such, it is an unsustainable location, inappropriate for new residential development.

Furthermore, there is no longer a lack of 5yr housing land supply within West Dorset, Weymouth & Portland and therefore there is no in-principle justification for the proposed development.

Additionally, with regard to more site-specific considerations, the proposal is considered harmful to the setting of Designated Heritage Assets, namely the Sydling St Nicholas Conservation Area and 5 and 6 Waterside Lane, which are both Grade II listed buildings.

The development, by virtue of its scale, is also considered to be detrimental to the natural beauty of the West Dorset Area of Outstanding Natural Beauty.

Finally, phosphate pollution has emerged as an issue within the Poole Harbour Catchment Area, which to date remains unresolved, with standing advice from Natural England (NE) expected at some point. Until such time as this is received, the Applicants cannot demonstrate phosphorous neutrality or off-setting, to overcome NE's objection.

The application is therefore unacceptable in planning terms and should be refused.

## **17.0 Recommendation**

Refuse for the following reasons:

1. Having regard to the location of the site, outside any settlement boundary, and the subsequent reliance on the occupants of the dwelling on the private car given the lack of services offered with the village, it is considered that this scheme will have a significant, negative, impact on the environment and overall will result in an unsustainable form of development. There is no overriding need to allow dwellings in this location nor does the application present a re-use of existing buildings, provide of essential rural workers dwellings, or an affordable housing scheme. As such, it is contrary to the provisions of Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.
2. By virtue of its built form and large-scale design of dwellings, the proposal is considered to represent undesirable development in this edge of village location to the detriment of the character and appearance of the conservation area. The proposal is therefore considered to be contrary to policy ENV4 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.
3. By virtue of the change of use of land to residential, eroding the edge of village character the proposal would adversely affect the setting of 5 and 6 Waterside Lane which are Grade II listed buildings. The proposal is therefore considered to be contrary to policy ENV4 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.
4. By virtue of its built form and large-scale design of dwellings, the proposal is considered to represent undesirable development in this edge of village location to the detriment of the setting of the West Dorset Area of Outstanding Natural Beauty. The proposal is therefore considered to be contrary to policy

ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.

5. The application is within the nutrient catchment area of Poole Harbour which is designated as a Special Protection Area under the Habitat Regulations 2017. Poole Harbour is also designated as a Site of Special Scientific Interest under the Wildlife and Countryside Act 1981 (as amended) and a Ramsar site. Natural England has advised that the harbour is Phosphate limited which means that any addition of phosphate either directly or indirectly should be deemed to have an adverse impact on the site's integrity in accordance with recent case law.

The applicant has failed to evidence nutrient neutrality to demonstrate no adverse effects in combination with other plans or projects, on the designated site of nature conservation. In the absence of this information, and until demonstrated otherwise, the precautionary principle must prevail in favour of nature conservation. The proposal fails to comply with the provisions of the Habitats Regulations 2017 and guidance contained within paragraph 185 of the National Planning Policy Framework (revised 2021), and policy ENV2 of the adopted West Dorset, Weymouth & Portland Local Plan 2015.

#### **Informative Notes:**

1. The plans that were considered by the Council in making this decision are:

Location Plan - 5899-WLA-SM-XX-DR-A-0001 - received 8th April 2022

Proposed Site Plan (amended) - received 20th June 2022

Proposed Site Section - 5899-WLA-SM-XX-DR-A-0102 - received 8th April 2022

Proposed barn floorplans - 5899-WLA-SM-XX-DR-A-0170 - received 8th April 2022

Proposed barn elevations - 5899-WLA-B1-XX-DR-A-0171 - received 8th April 2022

Barn 1 existing elevations and plans - 5899-WLA-SM-XX-DR-A-0111 - received 8th April 2022

Barn 2 existing elevations and plans - 5899-WLA-SM-XX-DR-A-0112 - received 8th April 2022

Barn 3 existing elevations and plans - 5899-WLA-SM-XX-DR-A-0113 - received 8th April 2022

Proposed Floor Plans (Plot 1) - 5899-WLA-H8-XX-DR-A-0120F - received 3rd May 2022

Proposed Elevations (Plot 1) - 5899-WLA-B2-XX-DR-A-0121 - received 3rd May 2022

Proposed Floor Plans (Plot 2) - 5899-WLA-H5-XX-DR-A-0130 - received 3rd May 2022

Proposed Elevations (Plot 2) - 5899-WLA-H5-XX-DR-A-0131 - received 3rd May 2022

Proposed Floor Plans (Plot 3) - 5899-WLA-H1-XX-DR-A-0140 - received 3rd May 2022

Proposed Elevations (Plot 3) - 5899-WLA-H1-XX-DR-A-0141 - received 3rd May 2022

Proposed Floor Plans (Plot 4&5) - 5899-WLA-B1-XX-DR-A-0150 - received 3rd May 2022

Proposed Elevations (Plot 4&5) - 5899-WLA-B2-XX-DR-A-0151 - received 3rd May  
2022