

Application Number:	P/FUL/2021/05299
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Parnham Estate Parnham Beaminster DT8 3LZ
Proposal:	Erect 4.No. River Lodges and realignment of the existing access track.
Applicant name:	Mr & Mrs J Perkins
Case Officer:	Emma Telford
Ward Member(s):	Cllr Knox

- 1.0** The Head of Planning has referred this application to planning committee due to the high level of public interest and the role of the application as part of a wider scheme for the Parnham Estate.

2.0 Summary of recommendation:

Recommendation A:

Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to grant subject to planning conditions as set out in this report and the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services Manager to secure the tying of the development to Parnham House so that it cannot be sold off separately.

Recommendation B:

Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the agreement is not completed within 6 months if the committee resolution or such extended time as agreed by the Head of Planning or Service Manager for Development Management and Enforcement:

1. In the absence of a satisfactory completed legal agreement to secure the tying of the development to Parnham House to ensure it cannot be sold off separately, the development cannot be considered intensification of an existing hospitality business and would be new built tourist accommodation in an unsustainable location outside of any defined development boundary contrary to policy ECON6 of the West Dorset, Weymouth and Portland Local Plan (2015).

3.0 Reason for the recommendation:

- The proposal is considered to comply with Local Plan policy ECON 6.
- The proposal is considered to result in no harm to the significance of the heritage assets.
- 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.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The proposal is considered to comply with local plan policy ECON 6.
Residential Amenity	The proposals are not considered to result in adverse impacts on neighbouring amenity.
Visual Amenity	The proposed development is not considered to result in adverse impacts on the visual amenities of the site or locality.
Heritage Assets	The proposal will result in no harm to the significance of the designated heritage assets.
Area of Outstanding Natural Beauty	The proposal is not considered to harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Natural Beauty.
Highway Safety	The proposal does not present a material harm to the transport network or to highway safety.
Biodiversity	The impacts on biodiversity are considered acceptable subject to a condition for the development to be carried out in accordance with the agreed Biodiversity Plan.
Flood Risk	The Environment Agency have raised no objections and consider the flood risk measures proposed to be acceptable.
Trees	The proposal is considered to have an acceptable impact on trees.
Community Infrastructure Levy	CIL liable.
EIA	EIA is not required in this instance.

5.0 Description of Site

5.1 Parnham House is a sixteenth century, grade I listed property located approximately 1.6km from Beaminster. Parnham House sits within Parnham Park, a grade II* listed registered park & garden. Parnham House suffered severe fire damage in 2017, resulting in the loss of its roof and most of its internal floor structures and fittings and is included in the highest risk category on Historic England's Heritage at Risk Register.

5.2 The primary entrance is located at the north end of the site near to Beaminster off the A3066. A tree lined avenue leads to the main house but also spurs off to the west. A secondary entrance (the historic main entrance) is located on the east of the site also off the A3066.

5.3 The application site (lodges) is located to the west of the walled garden on the grounds of Parnham House adjacent to, but outside of the kitchen walled garden. It is bound to the west by the River Brit, with the orchard beyond and is bound to the east by the existing brick wall that surround the kitchen garden. The site is comprised of an existing track, car park and area of grassland with fruit trees. There are also some small existing structures including a chicken coop and log store.

6.0 Description of Development

6.1 The proposed development is for the erection of 4 river lodge, holiday units within the ground of Parnham House and the realignment of the existing access track.

6.2 The proposed new access track would run parallel with the existing brick walled garden it would be used by estate vehicles as part of the management of the estate as no vehicular parking will be provided next to the proposed lodges. A separate application (P/FUL/2021/02707) includes the provision of a car park.

6.3 The proposed lodges would be set down from the height of the kitchen garden wall by approximately 1.1m and would consist of timber clad surround with large window openings facing the river and each with a green roof. There are two types of lodges proposed type A, two bedrooms and type B, three bedrooms. The ground floor of both lodge types would contain the master bedroom, second bedroom, entrance lobby, living room and terrace. The upper floor would contain the dining/living area and kitchen. The type B lodge would also contain additional living space adjoining the lodges that would contain the third bedroom. The proposed lodges would be separated maintaining views from the access track to the river.

7.0 Relevant Planning History

P/FUL/2021/04398 – Erect extension to the front of the potting shed – Approved – 23/12/2021.

P/FUL/2021/02420 – Dower House - Demolition of existing boiler room, utility room, conservatory, garage, walling, structures within the courtyard and detached outbuilding, erection of single storey extension, reinstatement of carriageway, gates and piers and boundary enclosure, erection of bike store – Approved – 23/12/2021.

P/FUL/2021/02977 – Erection of 1 no. dwelling – Withdrawn.

P/PABA2/2021/02666 – Erection of agricultural building – Approved – 11/11/2021.

P/FUL/2021/05746 – Erect 6 no. Orchard Rooms and installation of a new bridge – committee resolution to grant (August 2022)

P/FUL/2021/02707 - Erect a marquee and provision of a services structure to function as a restaurant, erection of a gazebo for the service of BBQs within the walled garden and the provision of a 49 space car park and associated driveway improvements – committee resolution to grant (August 2022).

P/LBC/2022/03210 - Reconstruction and replacement of two flat roofs with lead covering to the Stable link building of Parnham House. Stabilisation to existing timber structure and reconstruction of a tiled mansard roof with flat lead upper roof.

Reconstruction of internal first floor structure and timber staircase and refurbishment internally to restore fire damaged spaces as habitable rooms at ground floor and first floor within the Stable Link. Refurbishment of existing metal framed windows to Stable link. Minor alterations to the Service Range of Parnham House including insertion of new WC and temporary timber partitions. Replacement of modern roof over former Bertram Stair enclosed courtyard – under consideration.

8.0 List of Constraints

Outside of a defined development boundary
Area of Outstanding Natural Beauty
Landscape Character; Undulating River Valley; Brit Valley
Registered Historic Parks and Gardens

Setting of Parnham House – Grade I
Setting of Stable Block North of Parnham House – Grade II*
Setting of Kitchen Garden Walls North of Parnham House – Grade II
Setting of Ice House 100 Yards NNW of Parnham House – Grade II
Right of Way: Bridleway W21/56

Risk of Surface Water (ROSW) Extent 1 in 30
Risk of Surface Water (ROSW) Extent 1 in 100
Risk of Surface Water (ROSW) Extent 1 in 1000
NE - SSSI (5km buffer): Conegar Road Cutting
NE - SSSI (5km buffer): Horn Park Quarry
NE - SSSI (5km buffer): Down Farm
NE - SSSI (5km buffer): Mapperton and Poorton Vales
Flood Zone 3
Flood Zone 2

9.0 Consultations

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

Consultees

1. **Highways** – *The Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection, subject to the development hereby approved being carried out in accordance with the submitted plans.*
2. **Senior Conservation Officer** - *The proposals will result in no harm to the significance of designated heritage assets and so neither paragraph 201 nor 202 is considered to be engaged.*
3. **Tree & Landscape Officer** – *Following submission of amended Arboricultural Method Statement and associated Tree Protection Plan.*

No objection with conditions.
4. **Beaminster Town Council** – *Beaminster Town Council have in principle no objections to the amended plans but would re-iterate their original comments on this application.*

Original comments - *In principle Beaminster Town Council support the application and would RECOMMEND APPROVAL however the Council would re-iterate the previously expressed concerns with regard to the highway access at Southgate,*

Beaminster. Members were concerned with regard to the increased number of traffic movements the lodges would create in addition to the previous application for the erection of an events marquee etc. Members urged consideration of highway improvements, particularly the visibility onto the A3066 and traffic speed.

5. Building Control – *The access road and turning arrangements must accord with the requirements of Building Regulation Part P in respect of operational Fire Service access.*

6. Historic England - *Historic England objects to the application on heritage grounds due to the lack of a comprehensive approach being taken to development and the restoration of Parnham House. This means there is insufficient evidence that the harm likely to be caused by this (and other associated) planning application(s) would be outweighed by sufficient and deliverable heritage benefits.*

We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 199, 200, 202 and 208. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

7. Natural England – *No objection, based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.*

Biodiversity Mitigation and Enhancement Plan required.

Construction Environmental Management Plan should be submitted to and approved that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on species and habitats.

8. The Gardens Trust - *We have subsequently had an opportunity to study all four current applications linked to the generation of sufficient cashflow and profits to finance the eventual restoration of Parnham House and its estate. We appreciate the enormous cost of repairs to the Grade I fire damaged Parnham House and the considerable additional outlay necessary for ancillary development to support the proposed commercial use of the house and its Grade II* registered park and garden (RPG), their ongoing maintenance and management. The applicants' proposals for bringing Parnham back to life are reasonable and we can only commend them for their ideas.*

We have considered this alongside the concurrent applications for the nearby orchard cottages (P/FUL/2021/05746) and the temporary marquee/parking area (P/FUL/2021/02707). Please see our separate consultation responses. We were

very much concerned at the possibility for overdevelopment of this area within the RPG but are able to support the above application in its current form.

In conclusion, the GT/DGT are supportive of the three linked applications in the immediate vicinity of the main house: P/FUL/2021/05746 - Orchard Cottages, P/FUL/2021/05299 River Lodges and P/FUL/2021/02707 temporary marquee/parking area.

9. Senior Landscape Officer - *The proposed development is located within the Grade II* Historic Park and Garden of Parnham House to the south of the settlement of Beaminster and lies within the Dorset Area of Outstanding Natural Beauty (AONB).*

As well as its physical impact on the fabric of the grade II Historic Park and Garden parts of the development are likely to be visible from publicly accessible locations and it is therefore likely to have an adverse visual impact.*

I consider that the cumulative assessment in the LVIA addendum fails to properly evidence the cumulative impacts of adjacent development proposals and it does not take the possible future enabling development to the north of the estate into account though this is likely to have a significant impact on cumulative landscape and visual effects.

As a consequence, I consider that the assertions with regard to the individual and cumulative impact of proposed development at Parnham on the AONB and the Grade II listed landscape have not been properly scoped, assessed or evidenced and I am therefore unable to support the proposed development.*

10. Planning Policy Officer - *The proposal would create a “hospitality venue” which would result in the delivery of tourism development in the countryside. Particular regard will need to be had for the likely impact of the development on its surroundings - a designated landscape in a rural location containing heritage assets of the highest significance.*

The NPPF encourages sustainable rural tourism which respect the character of the countryside. Local Plan Policies ECON6 (built tourist accommodation) and ECON5 (tourist attractions and facilities) set out when development would be acceptable and include support for the intensification/expansion of existing accommodation as well as attractions that have wider benefits such as maintaining historic buildings – where this would be compatible with other policies of the plan. The Local Plan also acknowledges that development may be acceptable in more rural locations where it can be demonstrated there is a functional need for that location.

The main justification advanced by the applications is the need for a viable business to be created at the Parnham Estate to sustain it in the long term and create sufficient income to maintain it. In arriving at your decision, you will need to consider whether this represents a suitable argument to support development at this location

and be satisfied there is sufficient and convincing evidence to verify assertions made about necessity, suitability and viability. Where a need for development has been demonstrated, the benefits should be weighed against any disadvantages arising from the location.

My observations have been limited to the principle of the development however there may be other detailed policy considerations of relevance. For example, there are further requirements in respect of the local highway network, environment, design etc. which will also need to be satisfied. Specifically, I would highlight the presence of an SNCI as well as number of trees on site which are protected by a Tree Preservation Order.

If minded to approve the applications, you may wish to consider the use of measures to ensure that the development is linked to Parnham House to avoid its future separation and ensure the use is restricted to prevent independent operation.

11. Environment Agency – *We have no objection to the proposal provided the following condition is included in any planning permission.*

The development shall be carried out in accordance with the submitted flood risk assessment (prepared by Simpson tws, Issue 04 dated 16th November 2022), and drawing 101_A_B11_PR_003 Rev B, including the following measures:

- Finished floor levels shall be set no lower than 43.90mAOD for the lodges, and the access route shall be no lower than 43.50mAOD.*
- There shall be no temporary or permeant ground raising on existing land below the FRA's estimated 1 in 100 year flood level of 43.20mAOD.*
- The layout will be in line with the proposed site plan 101_A_B11_PR_003 Rev B and no additional structures or hard landscaping will be located within 8 metres of the top of the bank of the river Brit.*
- The minimum soffit height of the proposed footbridge will be 43.80mAOD.*

These mitigation measures shall be fully implemented prior to occupation retained and maintained thereafter throughout the lifetime of the development.

Reasons: To reduce flood risk to future users and prevent increasing flood risk elsewhere.

We note that the higher access track to the north which is proposed as the emergency evacuation route is within the applicant's ownership. Provided that access/egress via this existing track is satisfactory to you for emergency evacuation, the need to provide safe dry access/egress via the proposed formal access route is less important. You should ensure that you are satisfied with emergency access/egress arrangements and any emergency plans.

Representations received

Eight third party comments have been received at the time of report preparation, all of which are objecting to the proposed development for the reasons summarised below:

- No overall business plan.
- No financial information – availability of funds to restore the property.
- Piecemeal planning strategy.
- The application is premature should be considered at the same time as the far more extensive enabling development application – allow the full impact of all building proposals to be assessed.
- Modern design and appearance of the lodges out of character with the location adjacent to the historic park and Parnham House.
- The proposed design will significantly harm the setting of heritage assets
- Harm to the AONB landscape.
- Environmental impact on Beaminster of using the access drive and the road junction near to Beaminster, rather than the other access drives available.
- Consideration required for the overall traffic movements for all associated planning applications (restaurant & orchard rooms) – there are a max of 206 daily movements at the north entrance.
- North entrance has poor visibility.
- Footpaths and bus services would not be used by guests so the only access to Parnham is by car and that is how guests will arrive.
- Increase in air pollution in the area.
- Increase the opportunity for car accidents from turnings into Parnham Estate.
- Two schools along the same road, increase in road traffic will increase pollution to the children and increase the risk of accidents.
- Licence granted allows Parnham to serve alcohol to guests until 5 am – danger of people driving the morning after.
- River and its delicate ecosystem are extremely vulnerable to the proposed development.
- There are protected species and a full independent ecological survey should be carried out.
- Need to ensure there will be no environmental or wildlife cost to the river and its banks.
- River lodges are not befitting a Grade I listed property.
- Glass fronts will allow for significant light pollution from the interior and should be limited to usual sized windows to reduce the impact on nocturnal wildlife.
- Significant glare reflected from the sun during daylight hours particularly given there will be 4 lodges side by side.
- Lighting the pathways for guests to and from the lodges, thus adding to the light pollution.
- Noise pollution and the impact that noise will have on wildlife, neighbouring amenity and the quiet of the AONB.

- A full and complete plan for Parnham Estate should be considered as a whole and not with a few buildings at a time approach.
- No evidence of either an Environmental Impact Report or a Biodiversity/Priority Habitat Report.
- Otters on the river, along with polecats and many other priority/protected species.
- The lodges would be connected to the current septic tank – much more information is required to avoid sewage contamination.
- Proposals would be visible from public footpaths and bridleway.
- No effect public transport serving Parnham.
- Imperative there is public consultation between local community, Historic England, Natural England and Highways.
- Impact of light pollution on dark skies.
- Proposals are contrary to planning and conservation policy.

10.0 Relevant Policies

Development Plan

West Dorset, Weymouth & Portland Local Plan (2015)

INT 1 – Presumption in Favour of Sustainable Development
 ENV 1 – Landscape, Seascape and Sites of Geological Interest
 ENV 2 – Wildlife and Habitats
 ENV 4 – Heritage Assets
 ENV 5 – Flood Risk
 ENV 10 – The Landscape and Townscape Setting
 ENV 12 – The Design and Positioning of Buildings
 ENV 15 – Efficient and Appropriate Use of Land
 ENV 16 – Amenity
 SUS 2 – Distribution of Development
 ECON 6 – Built Tourist Accommodation
 COM 7 – Creating a Safe and Efficient Transport Network
 COM 9 – Parking Standards in New Development

Material Considerations

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
 11. Making effective use of land
 12. Achieving well-designed places
 14. Meeting the challenge of climate change, flooding and coastal change
 15. Conserving and enhancing the natural environment
 16. Conserving and enhancing the historic environment

Other Material Considerations

WDDC Design and Sustainable Development Planning Guidelines (2009)
West Dorset Landscape Character Assessment (2009)
AONB Management Plan 2019-2024
Dorset AONB Landscape Character Assessment

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 parking for the lodges would be separate from the lodges in the proposed car park and the units would be two storey with the living accommodation on the first floor. However, the location of the parking away from lodges reflects the historic setting of the site. Each lodge would have step free access from the eastern side and vehicle access directly to the front door of each lodge if required.

13.0 Financial benefits

- Employment created during the construction phase.
- Spending in local economy of guests of the holiday accommodation.
- Additional jobs created by the servicing of the holiday accommodation.

14.0 Climate Implications

14.1 Construction of the scheme will involve the use of plant, machinery and vehicles, together with use of any non-electric vehicles post construction. These will generate emissions including greenhouse gases. However, this has to be balanced against the benefits of providing holiday accommodation and the generation of income in this location.

15.0 Planning Assessment

Principle of development

15.1 The proposed development is for the erection of 4 no. river lodges and realignment of the existing access track. Local Plan policy SUS 2 deals with the distribution of development and seeks to achieve more sustainable development by locating *“a greater proportion of development at the larger and more sustainable settlements”*. The policy sets out the approach to the distribution of development in relation to a three-tiered spatial strategy. The highest priority locations for new development (i.e. the top tier of the spatial strategy) are the *“main towns of Dorchester and Weymouth”*. Elsewhere, the *“market and coastal towns of Beaminster, Bridport, Lyme Regis, Portland and Sherborne and the village of Crossways will be a focus for future development”* (i.e. the second tier of the spatial strategy). Development in rural areas is directed to settlements with defined development boundaries (DDBs) and must take place at an appropriate scale. The Parnham House Estate lies to the south of Beaminster (a second tier settlement) and is outside the DDB. The policy strictly controls development outside DDB's but does in principle allow tourism development, subject to the more detailed requirements of other specific policies of the plan.

15.2 The proposal involves the erection of new built tourist accommodation and therefore local plan policy ECON 6 is applicable. The argument was made that the proposal would result in the intensification of an existing holiday accommodation business and therefore would be policy compliant under i) bullet point 3. That new built tourist accommodation will be supported... *“through the replacement, intensification or extension of existing premises where the expansion would improve the quality and appearance of the accommodation and site”*. In support of this argument an events list was submitted which showed the start of a holiday accommodation business starting in June 2021 and including the provision of accommodation and facilities for birthdays, a wedding and a jubilee garden party. The existing accommodation provision includes 3 double rooms in the west wing, 2 bedrooms within the butlers apartment and 3 double bedrooms and 1 master bedroom within the dower house. On balance the proposed 4 river lodges is considered an intensification of the existing holiday accommodation business at Parnham. To comply with the second part of the bullet point the development also needs to improve the quality and appearance of the accommodation and site. It is not unreasonable to consider that the proposal would result in income generation that would assist in the maintenance and management of the Parnham Estate including the registered historic park and garden. To ensure the holiday accommodation is provided as an intensification to the existing provision the proposed development would be tied to Parnham House as part of a legal agreement so that it cannot be sold off separately. Given all of the above the proposal is considered to comply with local plan policy ECON 6.

Residential Amenity

15.3 The proposed development is for the erection of 4no. river lodges to be used as holiday accommodation and the realignment of the existing access track. The proposed lodges would be located to the west of the walled garden on the grounds of Parnham House adjacent to, but outside of the kitchen walled garden. The proposed lodges would be located close to existing residential units of Parnham however these would be within the same ownership and would also be part of the accommodation offer at Parnham. In relation to neighbouring dwellings the proposed lodges are located a significant distance away and are therefore not considered to result in adverse impacts on neighbouring amenity.

Visual Amenity

15.4 The proposed development involves the erection of 4 no. river lodges and realignment of the existing access track. The proposed lodges would be located adjacent to the kitchen garden wall along the edge of the river with the new access drive to the rear. This part of the estate is considered a service area and currently forms part of the estate's service and parking area. The proposed river lodges would be two storey, with an 'A' shaped profile with a flat green roof. The west and east facades would be glazed and the north and south facades clad in split timber logs. The outdoor space would consist of a deck and steps with hot tub on the ground floor and a balcony at first floor overlooking the river and the orchard beyond. Planting is proposed between the lodges and against the cladding, a condition would be placed on any approval for the submission of a soft landscaping scheme. The proposed lodges would be sizeable structures and of modern design however they would be set down from the kitchen garden wall and the proposed 'organic' materials would reduce their visibility outside of the site with planting to further soften and screen the proposal.

Heritage Assets

15.5 Historic England was consulted on the application and consider that the character of the application site and nature of the proposal means that its harm is mainly localised to a discrete area, but there will be some wider harm to the underlying character of a very significance ensemble of heritage assets. Historic England is sympathetic to the applicant's aspiration to reinstate Parnham House and provide it with a viable future and understand the motivation behind this and the concurrent applications. However, they consider that the piecemeal approach being taken by the applicant to achieve that goal is not conducive to delivering the comprehensive heritage benefits needed at Parnham, and consequently causes Historic England considerable concern resulting in them objecting to the application. However, as set out in the principle of development section of this report, the

applications have been considered under policy ECON 6 of the local plan as the intensification of the existing holiday accommodation business and not to fund the restoration of Parnham House or to provide income for the maintenance and management of the estate. An overall masterplan would have had many benefits however this application cannot be refused on the lack of one and this application needs to be considered on its own merits.

15.6 The application site has the potential to impact on the significance of the following heritage assets and any contribution made by their setting:

- Parnham House, grade I
- Stable Block North of Parnham House, grade II*
- Parnham House Registered Park & Garden (RPG), grade II*
- Kitchen Garden Walls N of Parnham House, grade II
- Ice House 100 Yards NNW of Parnham House, grade II

15.7 In relation to Parnham House and the Stable Block, the proposed 4 no. lodges are situated approximately 30m to the north of the stable block and approximately 60m to the north of the house. The site itself is separated from the area to the rear of the stable block and house by a masonry wall, which extends off the kitchen garden wall and proceeds westwards to form a border to Kennel Orchard on the opposite side of the Brit and therefore the proposals will not spatially intrude upon the setting of the house or stable block. The application site is partially visible from the upper floors of the rear gable of the stable block and from the upper floors of the West Wing (formerly Bedroom 9 and the nanny's accommodation), though in this case very obliquely. It is unlikely that a specific designed view was intended from the rear of the stable block range towards this area and any design intention for views from the West Wing was clearly towards the landscape to the west. The development would therefore represent only a minor element within these views, though any fortuitous value they have towards the application site is in any case considered to be minor. In addition, the proposed lodges are designed with green walls and roofs which, with time, will soften any visual presence from these areas. Therefore, the proposals are considered to result in no harm to the asset's significance even when considered alongside the concurrent applications.

15.8 In relation to the registered park and garden, the application site is situated immediately adjacent to the western wall of the kitchen garden in an area which has for some time been used for ancillary uses (kennels and fowl) and parking. Though partially separated with a tree boundary, the area links to the working area for storage alongside the northern corner of the kitchen garden. There is the possibility that glimpses of the development will be possible through the perimeter tree screen from outside the RPG at points along PRow W21/60 (The Hardy Way). However, this is likely to be case only in winter months and then only filtered glimpses. Though

fortuitous views from the PRoWs to the West are identified as elements of setting which contribute to the significance of the RPG, this is considered more applicable to those views which glimpse the formal drive to the north or those which are intentionally funnelled towards the property. It is considered unlikely that any views of the development will be possible from PRoW W21/56, which enters the park some distance to the north of the application site and crosses the park to the north-east of the kitchen garden. Therefore, it is not considered that the development will be detrimental to any designed or fortuitous views which contribute to the significance of the RPG. The proposals also include the formation of a new opening (for the vehicle access track) in the masonry wall immediately to the south of the application site. The Senior Conservation Officer considered that this wall does not form a continuous line, being broken by a pedestrian gate and by a wider gap to allow for the existing track along the river and that although there would be a loss in masonry it would not result in the reduction of the ability to view this wall as a historical boundary between the spaces. The wall impacted by this change is not considered to be listed, curtilage or otherwise and is considered an abutting separate structure to the listed kitchen garden wall. It is therefore considered that the proposals will result in no harm to the asset's significance which has been considered alongside the concurrent applications.

15.9 In relation to the kitchen garden walls their significance includes their strong sense of enclosure and spatial/visual relationships with Parnham house, their strong group value and the dominance of the walls from the riverside area. The proposed development is not considered to affect the sense of enclosure within the kitchen garden. The introduction of the lodges will result in a change to the fortuitous experience of the walls from the riverside area, where the sloping topography results in a height of just over 6 m, with the introduction of 4no new buildings in the currently open area. As originally submitted, the lodges were to match the height of the kitchen garden wall, but revised drawings show a reduction in their size to bring their roof line approximately 1.1 m below the top of the wall. This reduction should ensure that the lodges do not form a competitive element within the setting of the walls in terms of their scale. An additional element of the scheme is the relocation of the access track from the river edge to the rear of the proposed lodges, meaning that the track will run alongside the kitchen garden wall. This change is considered beneficial not only for aesthetic reasons, but also as it will enable users of the track to continue to experience the dominance of the kitchen garden walls without interruption, indeed more so owing to the proximity, thus mitigating any interruption in the general view from the riverside area. Therefore, the proposals are considered to result in no harm to the significance of the kitchen garden walls (even when considered alongside the concurrent applications).

15.10 In relation to the Ice House, the principal contributory elements of setting are its strong group value with other assets, its relationship to the River Brit and its relative isolation and distance from the house. The proposed lodges are situated

approximately 100 m to the SSE of the asset on the opposite side of the River Brit and will not impact upon the asset's relationship with the River Brit or its wider group value with other assets. Whilst the lodges will represent additional development in the vicinity of the Ice House, owing to the distance and differing contexts of the sites, it is not considered that the ability to understand or appreciate the isolation of the latter from the house and kitchen garden is reduced thus resulting in no harm to the asset's significance even when considered alongside the concurrent applications. Given the above the proposals would result in no harm to the significance of the designated heritage assets and so neither NPPF para 201 nor 202 is considered to be engaged.

Area of Outstanding Natural Beauty

15.11 The application site is located within the area of outstanding natural beauty. A right of way is located to the north of the proposed development and another is located to the west. The proposed development would consist of the erection of 4 river lodges and the realignment of the existing access track. NPPF paragraph 177 sets out that "when considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest". This application is not considered to meet the threshold of major development in line with NPPF footnote 60 "taking into account its nature, scale and setting, and whether it could have a significant adverse impact" as the proposal is for the erection of 4 units of holiday accommodation within the context of Parnham House and its associated outbuildings and structures. It is also not considered to meet the threshold when considered cumulatively alongside the other two applications (P/FUL/2021/02707 and P/FUL/2021/05746) which were considered at the August committee meeting and have a resolution to grant, given the scale of the development proposed cumulatively within the context of Parnham House and its associated outbuildings and structures.

15.12 The proposed development would be located on an area of the Parnham Estate that is currently used for serving and maintenance. The Senior Landscape Architect was consulted on the application and considered the site is of high landscape value (AONB, registered park and garden and setting of listed structures) and is also highly susceptible to landscape change. The Senior Landscape Architect concludes that the submitted LVIA fails to properly evidence the cumulative impacts of adjacent development proposals and fails to take possible future development into account which is likely to have a significant impact on cumulative landscape and visual effects. At the time of consideration there are three current applications relating to new built development within the Parnham Estate the 4 river lodges (subject of this application), 6 orchard rooms and marquee (both of which have a committee resolution to grant subject). In terms of cumulative landscape impact no other applications are under consideration. However, going forward if any further

applications were to be submitted then all applications previously determined would be considered. In relation to the landscape impact of the proposed river lodges, they would be positioned adjacent to the existing wall of the walled garden and would be set down in height. The river lodges would also be viewed in relation to Parnham House and its associated outbuildings and structures. Given the above on balance the proposal is not considered to harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Natural Beauty.

Highway Safety

15.13 The application site is located within the Parnham Estate, with three vehicular access points to serve the estate from the A3066 carriageway. The main access is located to the north-east of the site, close to Beaminster, the second is the central access (historical main access) provides direct access to Parnham House and a link to the Dower House and the most southern access solely providing access to the Dower House. It is the most northern access (adjacent to Beaminster) which would serve all visitor/staff related vehicle trips associated with the proposed visitor accommodation. A car park is proposed as part of another application P/FUL/2021/02707 which was considered at the August committee with a resolution to grant subject to the completion of a legal agreement and noise report. That proposed car park would accommodate 48 spaces, six of which are proposed to be allocated solely for the proposed river lodges. The parking provided would be separated from the lodges however this is considered acceptable given the proposed use of the units is holiday accommodation.

15.14 Concerns have been raised by third parties regarding highway safety and the increase in vehicle movements created by the proposed development and in particular increased movements at the access off the A3066. Highways were consulted on the application and considered that the proposal would not present a material harm to the transport network or to highway safety and consequently raised no objection, subject to the development being carried out in accordance with the submitted plans.

Biodiversity

15.15 The proposed development involves the erection of 4 no. river lodges and realignment of the existing access track. A biodiversity plan (BP) has been submitted which sets out mitigation measures including replacement tree planting, flowering lawn grass, hedge planting and enhancement including additional planting and bird and bat boxes to be erected. The BP has been agreed by the Natural Environment Team and a certificate of approval issued. A condition would be added to any permission granted for the development to be carried out in accordance with the measures detailed in the BP. Natural England were also consulted on the proposal and subject to a BP and Construction Environmental Management Plan (CEMP)

raised no objection and considered that the proposed development would not have significance adverse impacts on designated sites.

Flood Risk

15.16 The application site of the proposed river lodges is located within flood zones 2 and 3 and therefore there is considered to be some risk of flooding from the River Brit. Given the location of the proposed development within flood zones 2 and 3, a sequential test is required to be undertaken. Para 162 of the NPPF sets out that the 'aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source'. As the proposal is for holiday accommodation in association with existing accommodation at Parnham House and would assist in income generation for the maintenance and management of the Parnham Estate a search area consisting of the Parnham Estate was considered acceptable for the sequential test in this case. The submitted sequential test uses the Heritage Sensitivity Map of the Parnham Estate, provided by Historic England as the basis for looking at alternative sites. The sensitivity map provided an assessment of the estate based on heritage sensitivity but does not consider any other material considerations. The submitted sequential test considers each of the sensitivity areas and whether the proposed holiday lodges could be located there. The sequential test concludes that whilst there are other areas within the estate that are outside of the flood risk zones 2 and 3, they are not considered appropriate due to other constraints including greater heritage sensitivity, trees and distance from the existing holiday accommodation and/or the existing driveway/services. It is considered that awareness needs to be given to the sensitivity of the site making alternatives difficult to find when the character of the proposed application site and the nature of the proposals means that its harm is mainly localised to a discrete area. Any alternative sites, although preferable in flood terms could be located in highly sensitive areas for landscape or heritage impacts or may require additional infrastructure to locate holiday accommodation there. Therefore, it is not considered possible for the proposed development to be located in an area within the Parnham Estate with a lower risk of flooding taking into account the other constraints and objectives of the development. This conclusion means that the exception test is applicable.

15.17 To pass the exception test (NPPF para 164) 'it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

In relation to a) the benefits of the scheme previously discussed in this report in particular the income generation that would contribute to the viability of the estate

and in turn its maintenance and management are in case considered to meet part a). In relation to b) the submitted Flood Risk Assessment includes flood management measures to ensure the development can be occupied and operated safely with there being no increase in the level of flood risk to the site or neighbouring sites. The first being the finished floor levels of the lodges above the estimated flood level, flood warning and evacuation measures and the location of the access road on higher ground which would lead to the other areas of even higher land. The EA were consulted on the proposal and raised no objections subject to a condition for the development to be carried out in accordance with the submitted Flood Risk Assessment (FRA) including the stated finished floor levels and are therefore content with the flood risk measures proposed in the FRA and that the proposal would have no knock-on effect to flood risk. Given the above the proposed development is considered to comply with b) of the exception test (NPPF para 164). In addition, the proposed accommodation is for the use as holiday accommodation and would be conditioned as such and therefore would not be a person's sole residence. This means that if a flood event did occur and there was warning a booking could be cancelled or occupiers could return home. A condition would also be required for a Flood Warning and Evacuation Plan to be agreed. On balance, given the scheme is for holiday accommodation and the EA are happy with the measures proposed and that the scheme would provide cash flow as part of a wider objective of restoration of Parnham House and the viability of the Parnham Estate the proposed location of the units is considered acceptable. The proposed development would also be tied to Parnham House so that it cannot be sold off separately.

Trees

15.18 There are a number of trees located in close proximity to the application site however the site is predominately made up of hardstanding and used as a parking area. An Arboricultural Method Statement (Version 6, April 2022) was submitted as part of the application and set out that 6 trees and 1 hedge section are proposed to be removed to accommodate the scheme, 3 of the trees and the hedging would be translocated and relocated within the application site once the development had been completed. The 3 trees proposed to be permanently removed are apple trees considered too mature to translocate but replacement apple tree planting is proposed as part of the scheme. The existing river track would be taken up and replaced with topsoil and seeded with the new sections of proposed track within the root protection area would be installed with no dig techniques. The Tree Officer was consulted on the application and raised no objection subject to conditions. The proposal is therefore considered acceptable in relation to the impact on trees.

Community Infrastructure Levy

15.19 The adopted charging schedule only applies a levy on proposals that create a dwelling and/or a dwelling with restricted holiday use. All other development types are therefore set a £0 per square metre CIL rate.

15.20 The development proposal is CIL liable. Confirmation of the final CIL charge will be included in a CIL liability notice issued prior to the commencement of the development Index linking as required by the CIL Regulations - (Reg. 40) is applied to all liability notices issued, using the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. CIL payments are index linked from the year that CIL was implemented (2016) to the year that planning permission is granted.

EIA

15.21 Following consideration of the relevant selection criteria for screening Schedule 2 development presented in Schedule 3 of the EIA regulations, it was concluded that the proposed development is not likely to result in significant environmental impacts. Therefore, the Planning Authority hereby adopts an EIA screening opinion that an Environmental Statement is not required in this instance.

16.0 Conclusion

16.1 The principle of development of the proposed river lodges is considered acceptable as they are in accordance with local plan policy ECON 6.

16.2 The proposals are considered to result in no harm to the heritage assets.

16.3 The proposals are considered acceptable in relation to neighbouring amenity, the AONB, highway safety, biodiversity, flood risk and trees.

17.0 Recommendation

A) Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to grant subject to planning conditions as set out in this report and the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services Manager to secure the tying of the development to Parnham House so that it cannot be sold off separately.

And the following conditions:

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

Proposed Location Plan – drawing number 101-A-B11-PR-000 B

Proposed Location Plan – drawing number 101-A-B11-PR-001 B

Proposed Site Plan – Roof – drawing number 101-A-B11-PR-002 B
Proposed Site Plan – Ground Floor – drawing number 101-A-B11-PR-003 B
Proposed Site Section – drawing number 101-A-B11-PR-004 B
Proposed General Elevation – drawing number 101-A-B11-PR-005 A
Proposed Ground Floor Plan – Type A – drawing number 101-A-B11-PR-100 B
Proposed First Floor Plan – Type A – drawing number 101-A-B11-PR-101 B
Proposed Roof Plan – Type A – drawing number 101-A-B11-PR-102 B
Proposed Section – Type A/B – drawing number 101-A-B11-Pr-200 B
Proposed West & East Elevations – Type A – drawing number 101-A-B11-PR-300 B
Proposed South Elevation – Type A – drawing number 101-A-B11-PR-301 B
Proposed Ground Floor Plan – Type B – drawing number 101-A-B11-PR-103 B
Proposed First Floor Plan – Type B – drawing number 101-A-B11-PR-104 B
Proposed Roof Plan – Type B – drawing number 101-A-B11-PR-105 B
Proposed East Elevation – Type B – drawing number 101-A-B11-PR-304 B
Proposed North Elevation – Type B – drawing number 101-A-B11-PR-302 B
Proposed West Elevation – Type B – drawing number 101-A-B11-PR-303 B
Proposed South Elevation – Type B – drawing number 101-A-B11-PR-305 B

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. (i) The river lodges shall be occupied for holiday purposes only and
(ii) The river lodges shall not be occupied as a person's sole, or main place of residence;
(iii) the owners/operators must maintain an up-to-date register of the names of all owners/occupiers of the river lodges on the site, and of their main home addresses, and must make this information available at all reasonable hours at the request of a duly authorised officer of the Local Planning Authority.

Reason: To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation.

4. Prior to development above damp proof course level, samples and product details of all external materials for the walling, cladding, roofing (including covered entrance porches) and balustrading shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with the agreed materials and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

5. Prior to the installation of any external windows or doors, detailed drawings and specifications showing the design and construction of external doors and windows (elevations at 1:10, sections 1:5) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

6. Prior to installation of any extracts, vents and drainage outlets, detailed drawings showing their locations, materials and colours shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

7. Prior to commencement of development, a method statement detailing the process and materials for the installation of the pad foundations shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the agreed details.

Reason: To protect the designated heritage asset during construction.

8. Prior to the installation of any hard surfacing around the lodges hereby approved or for the new vehicular access track, samples and product details shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

9. Prior to any works to the boundary wall, a method statement detailing the knocking through of the boundary wall including proposed materials and mortar mixes for making good shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development and the setting of the heritage assets.

10. Prior to development above damp proof course level, a soft landscaping and planting scheme shall be submitted to, and agreed in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the first planting season November-March following completion of the river lodges or within a

timescale to be agreed in writing with the Local Planning Authority. The scheme shall include details of the green walls and roof of the lodges, all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of proposed protective stock/deer proof fencing and the provision for maintenance and replacement as necessary of the green walls and roofs, trees and shrubs for a period of not less than 5 years. Maintenance and replacement as necessary of the trees and shrubs shall be carried out in accordance with the approved soft landscaping and planting scheme.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or landscape features.

11. Prior to commencement of the development a meeting will be held with the Local Planning Authority to agree the contents of an arboricultural supervision statement. The arboricultural supervision statement shall include the content agreed at the meeting and shall be submitted to and agreed in writing by the Local Planning Authority prior to the first use of the lodges. The development shall be carried out in accordance with the approved arboricultural supervision statement.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

12. The development hereby approved shall be carried out in accordance with the details to protect and manage the trees before, during and after development as set out in the Arboricultural Method Statement, Version 6, dated April 2022.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

13. The development shall be carried out in accordance with the submitted flood risk assessment (prepared by Simpson tws, Issue 04 dated 16th November 2022), and drawing 101_A_B11_PR_003 Rev B, including the following measures:

- Finished floor levels shall be set no lower than 43.90m AOD for the lodges, and the access route shall be no lower than 43.50m AOD.
- There shall be no temporary or permeant ground raising on existing land below the FRA's estimated 1 in 100-year flood level of 43.20m AOD.
- The layout will be in line with the proposed site plan 101_A_B11_PR_003 Rev B and no additional structures or hard landscaping will be located within 8 metres of the top of the bank of the river Brit.

These mitigation measures shall be fully implemented prior to occupation retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce flood risk to future users and prevent increasing flood risk elsewhere.

14. Before the development hereby approved is occupied a Flood Warning and Evacuation Plan shall be submitted to and agreed in writing by the

Local Planning Authority. The approved Flood Warning and Evacuation Plan must be displayed in each of the river lodges before any part of the development hereby permitted is occupied or is brought into use. Thereafter, the Flood Warning and Evacuation Plan must be permanently displayed in the lodges.

Reason: To minimise the impact of future occupiers to the risk of flooding.

15. Prior to commencement of development, a Construction Environmental Management Plan that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on special habitats including addressing the impacts of storage of construction materials/chemicals and equipment, dust suppression, chemical and/or fuel run off from construction into the nearby watercourse, waste disposal, noise and vibrational impacts shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the construction shall be carried out in accordance with the agreed Construction Environmental Management Plan.

Reason: In the interests of biodiversity.

16. Prior to the erection of any external lighting on the lodges hereby approved or surrounding the lodges or access track, a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the external lighting shall be carried out in accordance with the agreed scheme.

Reason: In the interests of visual amenity.

17. Prior to commencement of development a timetable for the implementation of the measures of the Biodiversity Plan has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed timetable and the approved Biodiversity Plan, signed by Guy Lowndes, dated 21/07/2022, and agreed by the Natural Environment Team on 26/07/2022, unless a subsequent variation is agreed in writing with the Council.

Reason: In the interests of biodiversity.

Informatives:

Informative: NPPF

Informative: Legal Agreement

Informative: CIL

Informative: Environmental Permit

All works (permanent and temporary) in, under, over or within 8m of the Main River will be subject to our Environmental Permitting process. An Environmental Permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-riskactivities-environmental-permits>. To discuss the scope of the controls please contact the Environment Agency on 03708 506 506.

Informative: Building Control

The application needs to be aware that concerns have been raised by Building Control regarding fire brigade access, this will need to be investigated by the applicant and any solution agreed by the Fire Authority during consultation as part of the Building Control application.

B) Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to refuse planning permission for the reasons set out below if the agreement is not completed within 6 months if the committee resolution or such extended time as agreed by the Head of Planning or Service Manager for Development Management and Enforcement:

1. In the absence of a satisfactory completed legal agreement to secure the tying of the development to Parnham House to ensure it cannot be sold off separately, the development cannot be considered intensification of an existing hospitality business and would be new built tourist accommodation in an unsustainable location outside of any defined development boundary contrary to policy ECON6 of the West Dorset, Weymouth and Portland Local Plan (2015).