

<b>Application Number:</b>	P/FUL/2022/01086		
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>		
<b>Site address:</b>	Land at Tarrant Valley Interiors, The Old Chicken Sheds at Stubhampton Manor Farm, Tarrant Gunville, Blandford Forum		
<b>Proposal:</b>	Demolish existing commercial workshop & erect new electric vehicle (EV) hub including workshop, EV/PV information point, retail area & including cafe/pit stop and a covered parking area with roof mounted solar array to both structures		
<b>Applicant name:</b>	Hugh Symons Solar Services Ltd.		
<b>Case Officer:</b>	Simon Sharp		
<b>Ward Member(s):</b>	Cllr Jespersen		
<b>Publicity expiry date:</b>	4 May 2022	<b>Officer site visit dates:</b>	22 <sup>nd</sup> March and 4 <sup>th</sup> May 2022
<b>Decision due date:</b>	14 July 2022	<b>Ext(s) of time:</b>	

## 1.0 Reason for referral to members

- 1.1 The application is being referred to members following an objection by the Parish Council.

## 2.0 Summary of recommendation

- 2.1 Grant permission subject to conditions.

## 3.0 Reason for the recommendation

- 3.1 This is a development that, on balance, accords with the North Dorset Local Plan Part 1 (2016) acknowledging some degree of conflict with this development plan document. It proposes the retention of an existing local business on the site in a new, thermally efficient building that responds to the needs of a business in the C21st.
- 3.2 The level of retail space proposed is small scale (if limited by condition) and therefore accords with policy 12, being commensurate in scale to the rural community it serves.
- 3.3 Overall, this is a sustainable development.

## 4.0 Key planning issues

Issue	Conclusion
Principle of development	Scale of uses appropriate in this location affording weight to the extant use on site.
Economic benefits	Ensures retention of the existing business on the site with new premises and there will also be employment provided by the retail element and local spend (reducing leakage to outside of the area).
Design, impact on landscape and heritage assets.	No landscape harm or harm to the significance of heritage assets.
Impact on amenity	No residential amenity issues subject to the imposition of conditions on the retail element relating to opening hours and delivery hours.
Access and Parking	No highway safety or highways impact subject to conditions securing the provision of the access, parking and manoeuvring areas prior to first occupancy and retention thereafter.
EIA	Falls within AONB but not EIA development.

## 5.0 Description of Site

- 5.1 The site is to the east of the junction of Valley Road (that links Tarrant Gunville to the hamlet of Stubhampton) and the Bussey Stool Road (striking north-eastward towards Tollard Royal). It is in the Tarrant Valley, the land rising to the north and particularly to the south. The site is within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB). It is not within a conservation area but some of the land on the opposite side of Valley Road, to the south, is covered by that designation.
- 5.2 The site extends to approximately 0.3 ha and is currently occupied by a single building. This was originally constructed for housing chickens and still has the external appearance typical for structures for this use. It extends to circa 470m<sup>2</sup> of floorspace over a single floor.
- 5.2 A joinery business occupies the building and has done for approximately 30 years.
- 5.3 The external areas of the site are used for parking of vehicles, access to an adjoining field and livestock grazing. The latter shares space with the pedestrian accesses to the building.
- 5.4 The site is approximately 1.3m higher than the Valley Road level. The north-western and south-western boundaries with Bussey Stool Road and Valley Road respectively are marked by hedges of native field species. The other two boundaries to the larger

field are marked by open fences. There are dwellings to the southwest and southeast on the south side of Valley Road.

## **6.0 Description of Development**

- 6.1 This is a full application for the demolition of the existing building and the erection of two new buildings, one housing the EV (electric vehicle) hub and a unit permitting the existing business to remain on the site, and the other being for covered car parking (with EV charging points).
- 6.2 The larger of the two buildings would have a single gabled roof, be clad in timber, the roof covered in slate and provide a gross internal floor area of 520m<sup>2</sup>, 170m<sup>2</sup> of which would be for the joiner, 275m<sup>2</sup> for the EV hub and 75m<sup>2</sup> for ancillary office/toilet etc. The hub includes a mix of retail uses including a café. The building rises to a ridge height of 4.9m above ground level. It includes a veranda for outside, covered seating.
- 6.3 The smaller of the two buildings (for the covered parking) extends to c290m<sup>2</sup> and the mono pitch roof rises to 5m above ground level.
- 6.3 26 car parking spaces are proposed and the larger of the two buildings includes an area for bicycles.
- 6.4 Vehicular access is proposed from Bussey Stool Road in the location of the existing access. Pedestrian and cycle access is also proposed directly from Valley Road near to the southeast corner of the site.

## **7.0 Relevant Planning History**

- 7.1 Planning permission was originally granted for the use of the chicken house as a carpenters' and furniture workshop in 1991 (ref 1991/0652 granted 11<sup>th</sup> December 1991). This was a temporary permission renewed in 1993 and again from 1998. The last permission 1998/0146 included conditions for no outside storage or use of machinery outdoors. These conditions are relevant in terms of the landscape impact considerations and residential amenity impact (noise); the current use is very much contained within the building.

## **8.0 List of Constraints**

- 8.1 A detached area of the Tarrant Valley conservation area lies to the south side of the Valley Road.
- 8.2 There are two grade II listed cottages approximately 50 and 60m south of the site:-
  - a) Riverside Cottage described in the listing as "late C17 or early C18. Flint, brick, and rubble, part rendered and whitewashed. Thatched roof, half-hipped left with rendered stack to the right. 2 storeys, 3 window range. Upper floor has 2-light casements with horizontal glazing bars. Ground floor has C19 2-light cast-iron casements with glazing bars under segmental brick heads. C20 part-glazed door second from left. C20 extensions left and right."
  - b) Yew Tree Cottage – "Pair of cottages, now a single house, that to the south-east C17 or early C18, rebuilt C19 and that to the north-east late C18. Part

roughcast, part ashlar and rubble, whitewashed. Part thatched and part slated. Brick stack between cottages. 2 storeys, 5 window range. 2-light C19 cast-iron casements with glazing bars, except to part of later range which has C20 timber replacements. Later cottage has central C20 glazed door under moulded stone lintel. Earlier cottage has part-glazed, panelled door said to be reset from a house in Wimborne. Internal features: some chamfered beams. Open fireplace with segmental chamfered timber bressummer with cyma stops. Some internal doors have original wrought-iron hinges and fittings. The late C18 range may be constructed with materials reused from Eastbury House (qv) by Vanbuzgh largely demolished in 1775. (RCHM, Dorset, vol.IV, p.95, no.17.)”

8.3 The site sits within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).

## **9.0 Consultations**

### **9.1 Tarrant Gunville Parish Council**

Object: -

- a) The Council noted that the further submission of 13 April from the applicant's agent aimed to make three clarifications: the proposed shop or shops would close at 8pm instead of 10pm, a statement that villagers would be able to have 2 hours free charging on a 22kw charger, and an undertaking to ensure a lighting specification relevant to the AONB Dark Sky guidelines. The Parish Council's objections remain.
- b) The Parish Council is concerned that no estimate of traffic flow had been made by the proposers. The Council had made its own calculations and they indicate that the planning proposals would lead to a severe increase of between 4- and 7.5-times increase in traffic flow through the village. The Council is consequently seriously concerned that this would bring an increased danger for pedestrians, dog walkers, wheelchair users and cyclists.
- c) The access roads are narrow lanes with no pavements. There would be increased danger to pedestrians – including dog walkers, cyclists and horse riders.
- d) The development is not in keeping with the local natural environment, landscape or architecture.
- e) There will be a serious disturbance and loss of privacy for the immediate neighbours.
- f) The proposed opening times will mean considerable disturbance to the wider rural setting in a variety of ways, particularly from noise and light, to wildlife as well as human activity.
- g) It could be a good facility, but it would be totally in the wrong place in the centre of a tiny historic village.

## 9.2 Dorset CPRE

Object: -

- a) Inappropriate position.
- b) Increased traffic through village leading to safety concerns.
- c) Not in keeping with area of AONB.
- d) Serious light pollution in dark skies area.
- e) Loss of privacy.

## 9.3 Cranborne Chase and West Wiltshire Downs AONB

Object: -

- a) There seems to be a presumption that there is a need for additional retail outlets in this valley which is relatively remote from major highways and is not on a route to or from a major tourist attraction. A farm shop exists to the south west of Tarrant Gunville and replacing the existing butchery facility would not require such a large building or the electric charging hub.
- b) Very little is written about the proposed solar arrays. Fairly obviously those on the south west facing roofs are likely to be effective but the one on the north east face maybe less so. There is no information on the extent to which extra network cables and poles will be required and, as you may be aware, removing visually intrusive features, such as transmission cables and poles, are the thrust of the AONB policy PT17.
- c) Whilst the existing building is, effectively, being relocated closer to, and in alignment with the road, an additional structure is being provided of similar length on the site of the old building. The net effect is, therefore, to add significantly to the built structures on the site. The closer proximity to the road also makes the presence of the new building, close to the road, an enclosing influence on this part of the valley.
- d) The proposed new building, although described as having a similar internal area as the existing one that will be demolished, would in fact appear significantly larger owing to the overhanging roofs on both the southwestern and north eastern sides, providing substantial veranda areas.
- e) It is also noticeable that the landscape plan appears to be based around some unstated time in the future when everything has grown and matured. There is no specification nor any details on the timing and amount of planting. In one of the nation's finest landscapes, it is not acceptable to put forward basic schemes without appropriate details that clearly indicate what will be planted and where, together with the size and quality of planting materials to ensure a speedy establishment of the vision being presented in the Landscape Plan.
- f) The restricted access through the valley seems to militate against such a facility of the scale that is proposed.

- g) In this International Dark Sky Reserve there should be a lighting strategy and lighting specification with the submitted documentation

#### 9.4 Natural England

No comments.

#### 9.5 DC Highways

No objection subject to conditions.

The submitted Transport Statement provides further details of the proposal and clarifies the likely traffic generation of the proposal, comparing it to the historic use of the site. Consequently, I consider that the likely impact of the proposal upon the surrounding highway network is acceptable and cannot be considered to be “severe” when consideration is given to paragraphs 110 and 111 of the National Planning Policy Framework (NPPF) - July 2021.

#### 9.6 DC Planning Policy

Comment: -

- a) The consideration of the acceptability of the principle of the proposal will rest initially on assessment of whether the applicant has demonstrated that there is an ‘overriding need’ for the proposed development to be located in the countryside, with reference to Policy 20 of the NDLPP1. The proposal appears to be currently lacking in terms of providing demonstration of need for the proposed countryside location, and therefore is contrary to the spatial strategy of the NDLPP1.
- b) In relation to Policy 22, whilst the proposal consists of a ‘renewable energy’ element (i.e. the proposed solar array), the benefits of this element appear to be restricted to providing power and heating for the proposed building itself, and therefore apparently offer no wider benefit of renewable energy generation for public use.
- c) As noted in Policy 22 the amount of renewable energy to be generated from a proposal should form part of the assessment of benefits to be weighed against adverse impacts of the development.
- d) The proposed development should also be assessed in terms of whether the proposed retail and commercial elements would be suitably ancillary to the employment uses with regard to Policy 11, and Policy 30 of the LPP1.
- e) In determining the application, the case officer should also have regard to National Planning Policy, which emphasises the importance of low carbon energy projects (such as EV charging stations) in reducing carbon emissions. The potential benefits of the proposal in relation to its contribution towards reductions in greenhouse gas emissions should be weighed against any resulting adverse impacts, and the need for landscape and visual impacts to be either acceptable or made so.

#### 9.7 DC Conservation

## Object

There is no objection to the principle of outbuilding replacement. However, it is considered that there appears to be insufficient assessment in regard to the setting of the various heritage assets and that there are a number of related concerns in regard to this sensitive rural setting with the AONB. As such, at present, it is considered that the development appears out of context with the agrarian setting and contributes less than substantial harm.

### 9.8 DC Natural Environment Team (NET)

The Natural Environment Team signed off the Biodiversity Plan (BP) for this application on 22/02/2022 and issued a certificate of approval to the client. The implementation in full of the approved BP will ensure compliance with wildlife legislation, the biodiversity paragraphs of the NPPF (2019, as amended) and the Natural England Protected Species Standing Advice and its implementation in full should be conditioned to any permission.

### 9.9 DC Trees and Landscaping

The revised landscaping proposals are acceptable.

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

## 10.0 Other representations received

Total - Objections	Total - No Objections	Total – Comments (Neutral)
36	9	2

10.1 Objections were received on the following grounds: -

#### Excessive Scale

- a) The services the application aims to provide are analogous to those of a motorway service station.

#### Lack of need

- b) There is no local need. Blandford has a population of 10,610 according to the 2011 Census. Tarrant Gunville and Stubhampton has 233 souls. There are about 7 places to buy meat, bread or drink coffee in Blandford. That equates to 1,515 people per outlet. In Tarrant Gunville and Stubhampton the ratio is only 233 per outlet. If we felt deprived, we could use facilities in Chettle, Iwerne Minster, Tarrant Keynston and Tarrant Rawston. We really don't need yet another coffee shop.

- c) In order for this commercial development to be viable it would need to attract a large amount of visitors from outside the village.
- d) When the time comes, most villagers would be happy, in preference, to use their own chargers at home rather than take their car to the “hub”, go home and walk back in two hours.
- e) The development is detrimental to the existing business at Home Farm Shop.  
Unsustainable reliance of grid for power
- f) The slight variation to the business opening hours now proposed makes no difference to the fact that, as conceded by the agent, the PV solar generation will not be able to support the proposed number of charging points necessitating reliance upon the grid - yet still the application anticipates an increase in no. of charging points to at least 15 and conceivably more over the 25 year span of the project.

### Highways

- g) While the revised plan shows 6 vehicle charging points, there are still marked bays for 26 vehicles.
- h) The Transport Statement is thoroughly misleading and takes no account of the overall ambitions of the project - which ultimately is aimed at augmenting in size and enticing traffic/trade from outside the village, with the inevitable consequence of urbanising the rural location.
- i) The Village runs a Community Speedwatch team and has a Speed Information Device (SID) to inform motorists to keep their speed below 30 mph. The SID information for a period of 32 days in the Spring of 2022 shows an average vehicle count in both directions of 6856 vehicles, which equates to a daily average of 214 vehicles.  
Examining the data provided by the Applicant in their Transport Statement for Trip Generation, etc. it would appear that the proposal will generate an extra 380 (50%) to 662 (100%) vehicle movements per day which equates to an increase of 2.8 to 4 times more traffic movements through this small rural village.  
If you change the proportion of chargers proposed to all 15x fast chargers then the potential vehicle movements would increase by 1316 extra vehicle movements per day, that is 7 times as much traffic as we have passing through the village each day at present.
- j) The visibility splay site plan shows a value of 44 metres in each direction from the Bussey Stool Road junction. The right-side visibility splay is only 18 metres which means that a vehicle travelling at 30mph coming from Stubhampton has only 1.3 seconds before it is level with the exit junction from Bussey Stool and the EV Hub. This extremely limited amount of visibility means that the junction is totally unsuited to any traffic increase.



- k) Serious consideration should be made for the approximately 2 miles of lanes from the A354 to Stubhampton and the approximately 2.5 miles of lanes from Boynes Lane to Stubhampton, both of which have a large proportion of their length with varying carriageway widths and single lanes. no street lighting, no pavements, few passing spaces and a number of blind corners.
- l) The risks/dangers to walkers, wheelchair users, mobility scooters, horse riders, the elderly, cyclists, and children is already high enough as speed limits are rarely adhered to.
- m) Just because there have not been any major accidents in the previous two years does not mean this would not occur when the traffic increased substantially which it surely will.
- n) In the Autumn and Winter months, the River Tarrant flows across the road all the way down from Stubhampton to this road junction and often the road is covered with Black Ice making stopping distances extremely long.
- o) The new Pedestrian Access empties on to the main road through the village surely illustrates the problems of access and the potential danger to villagers.
- p) The plan shows a space for electric bicycles. It would be inappropriate for family groups to be encouraged to use the electric bicycles on the local roads.
- q) There are large and numerous potholes in Valley Road that appear nearly every winter. The Council repairs them every spring/summer, but their work will now be more expensive because of the large increase in traffic that is anticipated that will, in turn, make the potholes larger and more numerous.
- r) It is not long since Dorset Highways changed the large sign indicating Tarrant Gunville on the A354 by removing from it signage to Iwerne Minster and Shaftesbury. This was at the request of the Parish Council, and successfully reduced the amount of traffic using the village, but traffic volumes will return with this development.

#### Residential amenity

- s) The issue of screening the facility, noise and acoustic measures are still unaddressed. It is unacceptable for those properties with a clear line of sight or close proximity to the development.

#### Design, Landscape and Dark Skies Light Pollution

- t) The new building with connected external seating, bin stores, substations, access ways and parking compound is totally out of scale to the immediate area and the village.
- u) The proposed building is being moved in alignment with the road but also significantly closer to the road which will increase its visual impact on the surroundings.

- v) The views of the AONB outweigh any presumption of in favour of approval if the AONB considers the proposed scheme does harm to “*this nationally important area*” (paragraph 3, AONB response to the application of 29th March 2022).
- w) The design of the new building itself lacks any consideration of the immediate surroundings or the local vernacular: the large areas of glazing combined with the horizontal cladding and slate roof not only evidence a lack of imagination and detailing but also further suggest a commercial/industrial estate/service-station aesthetic.
- x) No external lighting after the building closes - this still means a potential 10 hours a day.
- y) The environments of Tarrant Gunville and Stubhampton maintain their quiet, tranquillity, peaceful pace of life, unspoilt countryside and wildlife habitats.

Drainage and contamination

- z) Potentially there may be no flooding on the actual location, but most winters Valley Road is closed because of flooding and the Council put suitable signage up and down-hill from the flooding. This can be in place for weeks. The junction from the site to Valley Road is usually the worst affected.
- aa) There will be an increase in the severity of flooding due to excess run-off, both from rain and water usage on the site.
- bb) The issue is that butchery requires special consideration to avoid a bio-hazard and any water used in the butchery process needs suitable treatment. This is not visible in the application. Why was this omitted in the original application?

Lack of community engagement

- cc) There has been no pre-application engagement with the community.

10.2 Support letters raise the following points:-

- a) The development will facilitate the deployment of electricity into the valley allowing for the use of electric vehicles, electric garden tools and power tools using the power produced from the 165 kw PV on the roofs of the new buildings.
- b) The size of the new building is the same overall dimensions as the current one; this building would then house the carpentry business allowing for staffing health & safety improvements.
- c) The sales area will sell meat and bread made on the farm.

- d) The applicant is proposing to provide the local community with a source of free road fuel and from a renewable source, an overwhelming 'local community benefit'
- e) This is a good opportunity for a small village such as ours to, at last, move into the 21st century and embrace a more environmentally progressive approach to living.
- f) The proposal is a replacement of seventy year old chicken sheds which are an eyesore. Two lots of chicken sheds and some old farm buildings have been replaced by the applicant which has greatly improved the valley.
- g) It will provide employment opportunities in a rural area.
- h) The present carpentry workshop tenant, who has been in the building since the 1990s, says that he might have to leave due to the declining state of the building, so by declining this application it might actually be reducing the employment in the area; rural employment should be encouraged.

## **11.0 Heritage duties**

- 11.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, amongst other things, that special regard be had to preserving the setting of listed buildings.
- 11.2 Section 72 of the same Act requires that special regard be had to either preserving or enhancing the character and appearance of a designated Conservation Area.

## **12.0 Relevant development plan policies**

### Adopted North Dorset Local Plan Part 1 (2016)

- 12.1 The site is in the countryside, within an AONB and within the setting of a designated Conservation Area and two listed buildings. The following policies are considered to be relevant to this proposal:
  - Policy 1 - Presumption in Favour of Sustainable Development
  - Policy 2 - Core Spatial Strategy
  - Policy 4 - The Natural Environment
  - Policy 5 - The Historic Environment
  - Policy 11 – The Economy
  - Policy 12 – Retail, Commercial and Other Commercial Developments.
  - Policy 20 – The Countryside
  - Policy 22 – Renewable and Local Carbon Energy
  - Policy 23 – Parking
  - Policy 24 – Design
  - Policy 25 – Amenity

## **13.0 Other material considerations**

### Cranborne Chase AONB Management Plan 2019 – 2024

13.1 The relevant sections are cited in the Assessment section of this report.

Cranborne Chase AONB Landscape Character Assessment 2003

13.2 The relevant sections are cited in the Assessment section of this report.

National Planning Policy Framework (2021)

13.3 Noting the following sections:-

- 1. Introduction
- 2. Achieving sustainable development
- 3. Plan-making
- 4. Decision-making
- 6. Building a strong and competitive economy
- 7. Ensuring the vitality of town centres.
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

## **14.0 Human rights**

14.1 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.

## **15.0 Public Sector Equalities Duty**

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

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

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

15.3 The site is only accessed along relatively narrow, unlit roads with no segregation of vehicles and pedestrians. The gradients are relatively level. There would be a ramped climb to get up to site level which is above that of Bussey Stool Road.

**16.0 Financial benefits**

What	Amount / value
Material Considerations	
Employment during construction	Support construction sector.
Employment during operational phase	Employment in the EV hub (the retail area). Retained employment in the joinery business.
Spend in the local economy	Retained spend (acknowledging that the retail element may compete against as well complement the existing farm shop, south of the village.
Non Material Considerations	
Contributions to Non-domestic rates.	As per appropriate charging bands

**17.0 Climate Implications**

17.1 The submission emphasises the sustainability credentials of the development and its basis on renewable energy – the PV panels supply renewable energy to the car charging points. It also cites the promotion of electric vehicles travel and solar energy in the retail space as well as the sale of local produce from the applicant’s farm.

17.2 There will inevitably be trips to and from the site by vehicles with internal combustion engines. Not all of these will be from the local area. Although the proportion of the trips by internal combustion engine powered vehicles will diminish over time, their use to access the site must still be considered as part of its carbon footprint.

17.3 Not all of the energy consumed by the development will from renewable sources and there will be a reliance on the grid (the energy generation for which is still reliant, for now, on non-renewable sources).

17.4 There will be embedded energy costs derived from the development phase (including the demolition of the existing building).

17.5 The new building will provide a more thermally efficient premises for the existing business than that of the former chicken shed that they currently occupy.

## 18.0 Planning Assessment

### Introduction

- 18.1 The description of the development on the application form is for the demolition of the existing commercial workshop and the erection of a new electric vehicle (EV) hub including workshop, EV/PV information point, retail area & including cafe/pit stop.
- 18.2 It is important, prior to the assessment of the application, to consider in more detail each element of what is being proposed.
- 18.3 Firstly, there is the demolition of the existing commercial workshop. This former chicken shed has been occupied by the same joiners' workshop for approximately 30 years. Planning permission was granted for this use in 1991. The business (Tarrant Valley Kitchen and Interiors) currently occupies circa 470 m<sup>2</sup> of floorspace. This is lawful in a planning sense. Manufacturing of the business's products takes place at the site and, when the case officer inspected the interior, they noted a number of kitchen units being fabricated.
- 18.4 The use is considered to fall under Class E(g) (iii) of the amended Use Classes Order 1987. This is an industrial process which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. The fact that, despite the use of some power tools, the business has operated from the site for 30 years with the nearest other uses being residential, without any known amenity issues, is evidence that it falls within class E(g)(iii) rather than B2 (General Industrial).
- 18.5 The baseline position is therefore that of an extant Class E(g)(iii) use extending to circa 470m<sup>2</sup>.
- 18.6 In terms of the proposed uses within the larger of the two proposed buildings (the smaller being essentially covered parking), 170m<sup>2</sup> is for the existing business to be retained on the site, 275m<sup>2</sup> is, although described as an EV hub, essentially for retail uses (including a small kitchen/café of 18m<sup>2</sup>) falling within Classes E(a-c) of the amended Use Classes Order 1987. The remaining 75m<sup>2</sup> is taken by an ancillary plant room, offices and a toilet (ancillary to the class E uses). This proposed mix of uses is reflected in the classes cited on the application form. In addition to the aforementioned Class E(g) use for the new space for the existing business, the following other use classes are cited:-
- E (a) the display or retail sale of goods, other than hot food, principally to visiting members of the public,
  - E (b) the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,
  - E (c) for the provision of the following kinds of services principally to visiting members of the public— (i) financial services, (ii) professional services (other than health or medical services), or (iii) any other services which it is appropriate to provide in a commercial, business or service locality.

- 18.7 The smaller of the two buildings proposed is, from analysis of the site plan, covered parking servient to the uses of the main building, albeit there are electric vehicle charging points proposed.
- 18.8 There is a possibility that such parking spaces could be used by motorists purely visiting the site to charge their cars rather than using the uses within the main building. However, given the location of the site peripheral to the main centres and A roads and the fact that, as will be demonstrated, the parking proposed is commensurate in scale to that serving the main building's uses, the frequency of the parking area functioning as a standalone charging area is likely to be low and not a planning use in its own right (not a separate primary use).
- 18.9 Instead, the "hub" is primarily going to function as retail uses with an electric vehicle and sustainability emphasis (hence the reference to photovoltaic panel and bike sales for some of the space) with the parking being ancillary to it and the kitchen/interiors business. The existence of the chargers is likely to prompt some visitors to the retail uses that would not have otherwise visited.
- 18.10 This is considered to be part of what will become a growing trend, especially during the phase of development of electric vehicle charging where people will need to wait 10-30 minutes for a "rapid" charge. In other words, destinations with other uses, other than just electric vehicle charging points, will complement home charging and rapid charging stations.
- 18.11 There is no guarantee that the retail areas would be confined to those with a sustainability emphasis. The application has been considered by the case officer on a broader definition of retail use.
- 18.12 It is in this context that the proposal should be considered i.e. for the demolition of circa 470m<sup>2</sup> of Class E(g)(iii) light industrial use and the development of new buildings accommodating the same light industrial use, 275m<sup>2</sup> of retail use and ancillary parking, office, toilet and plant room.
- 18.13 Members are advised that, should they find such a development acceptable, it would be entirely reasonable to limit floorspaces of each use by condition. Indeed, for the reasons explained in the following assessment of the principle of the development, this is what the case office recommends.

Principle – industrial process (Class E (g) (iii))

- 18.14 Policy 20 of the Local Plan applies to countryside locations. It advises development will only be permitted if: -
- a) it is of a type appropriate in the countryside, as set out in the relevant policies of the Local Plan, summarised in Figure 8.5; or
  - b) for any other type of development, it can be demonstrated that there is an 'overriding need' for it to be located in the countryside

18.15 Criterion a) is engaged given that policy 11 (The Economy) is cited in Figure 8.5 and provides instances whereupon class E uses of a certain scale are appropriate in countryside locations.

18.16 It is clear from an internal and external inspection of the existing building, that the business operating from within it would benefit from new premises. This is not to say that they wouldn't be able to sustain the business using the existing fabric but, in the context of rising energy bills, changing legislation in relation to a working environment and the expectations of potential customers as to the appearance of the premises from which the business operates, it is clearly of benefit that they can relocate to a modern, thermally efficient building. The location clearly works for them and there are benefits to the local rural economy by retaining the use on the same site. This is afforded weight in the overall balance and accords with policy 11 of the Local Plan and derives support from the NPPF.

18.17 It is acknowledged that the floorspace would be reduced from 470m<sup>2</sup> circa to 170m<sup>2</sup> and, as a result, there is a degree of conflict with policy 11 of the Local Plan which seeks to retain all of existing employment sites for such uses. However, there are specific considerations relevant to the existing building's usable space, including headroom and internal columns. This means that the difference between the existing and proposed usable floorspaces is actually much closer. This added to the significant enhancements to the working environment and thermal efficiency of the new building (even if the new building just met minimum Building Regulations standards) results in a principle of the change in floorspace being acceptable.

18.18 However, if the space reduced further as a result of, for example, incursions by the retail space, the balance would tilt to being unacceptable. A condition is therefore necessary to ensure there is a minimum of 170m<sup>2</sup> (GIA) Class E (g) (iii) floorspace available for industrial processes.

#### Principle – retail use (Class E(a-c))

18.19 Referring members back to paragraph 18.14 of this report, it is noted that retail proposals are not cited in Figure 8.5 of the Local Plan. At first sight this appears to have the implication that an overriding need must be demonstrated for this element. One therefore turns to policy, 12, of the Local Plan, that addresses proposals for main town centre uses (including retail) for countryside locations. The policy advises that retail and other main town centre uses that are not in an existing town centre and are not in accordance with the development plan will only be permitted if:-

- a) they satisfy the 'sequential test' in national policy; and
- b) they will not have a significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- c) they will not have a significant adverse impact on town centre vitality and viability.

18.20 Paragraph 6.7.8 of the Local Plan, in support of policy 12, states:-



“The Council will apply the sequential test in national policy to planning applications for main town centre uses that are not in an existing centre and are not in accordance with the development plan, unless the application is for small-scale rural offices, or other small-scale rural development”

In such instances, the small scale ensures that there is not adverse impact on the vitality and viability of the town centres.

18.21 The Local Plan doesn't explicitly define what small scale retail is as a standalone definition. However, the definition for Local Centre in its Glossary states the following: -

“...the Council considers that small-scale retail, to meet some of the day-to-day needs of residents and employees, is likely to involve a small A1 shop (i.e. under 280 square metres)...”

18.22 In this context, it is noted that the retail space marked on the floorplan is less than 280m<sup>2</sup>. One can therefore reasonably conclude that, if limited by condition to no more than 280m<sup>2</sup> (GIA), the proposed retail element would be small scale.

18.23 It therefore applies that the sequential approach is not necessary. Competition is also not a consideration; the existence of the Farm Shop within the parish is not material to the consideration of the proposal. Policy 20 of the Local Plan advises that need must be demonstrated if the proposal is not supported by other policies listed in Table 8.5 of the same Plan. Policy 12 is not listed in this Table. There is tension here between policy 12 and policy 20. However, policy 20's omission of small scale retail is inconsistent with the NPPF whilst policy 12, which permits small scale retail in countryside settings, is broadly consistent. In this context, the weight afforded to policy 20 in relation to the principle of small scale retail is tempered and, given the policy framework provided by both policy 12 and the NPPF, officers consider that need does not need to be demonstrated.

18.23 In summary, the retail element of the proposal is considered to accord with policy 12 of the Local Plan and the principle of this scale of this use is considered acceptable.

#### Principle – covered charging bays

18.24 As previously explained in this report, this area will operate primarily as ancillary parking to the uses in the main building. This is reflected in the description which separates the EV hub element from the parking (it is described as parking not an electric car charging station). As an ancillary use, the principle of this element does not need to be considered.

18.25 Nevertheless, the occasional use of the spaces by people visiting the site to solely charge their cars and not visit any of the uses within the main building has been assessed as part of the highways impact of the development.

#### Access and highway safety

- 18.26 The countryside location and nature of the uses proposed means that there will be residual trips by vehicle associated with the development i.e. it is clear that a significant proportion of the trips to and from the site will not be by foot or cycle.
- 18.27 The impact of the relocation of the existing joiners' business into the new building is considered to be neutral. This conclusion also takes into account the possibility that another business falling within the same use class could occupy the unit if the joiners' workshop either did not choose to stay on the site or moved away in the future. This is because the proposed industrial element is considered against the generic use of the existing building for light industry rather than specifically for the current occupiers (the existing building could be occupied by another light industrial user without the need for further planning permissions).
- 18.28 Turning to the EV hub use, a substantial number of the third party representations received raise concerns about the narrow and winding character of the highways that lead to the site. These include Valley Road from the A354 to the south, through Tarrant Gunville. It is acknowledged that, whilst the EV hub is "small scale" and commensurate in scale to a local community retail use, it nevertheless could attract some trade from further afield. Such trips are likely to be from the A354 through Tarrant Gunville.
- 18.29 This route (Valley Road) is narrow in many places and there are sections, due to bends in the road, that afford poor visibility.
- 18.30 Third parties have submitted documents, the conclusions of which state that trip rates along Valley Road could increase between 2.8x and 7x to that existing. The Council's Highways Officer disagrees with these conclusions, advising that increases will be lower and to the degree that they are not "severe" in terms of impact. As the threshold of "severe" has not been reached (this threshold being detailed in the National Planning Policy Framework), the proposal is acceptable in terms of its traffic generation.
- 18.31 Turning to the access arrangements into the site, again members are advised that the site's existing use and the scale of that use must be taken into consideration when assessing the proposal's arrangements.
- 18.32 Currently, the vehicular access is onto Bussey Stool Road close to the junction with Valley Road. The national speed limit (60mph) applies on this stretch of road (Tarrant Gunville's 30mph speed limit commences on Valley Road just south of the junction with Bussey Stool Road). The access affords visibility in both directions but not to the standards expected for a 60mph road. This is due to the raised bank and dense hedge that flanks the access. It is also noted that the surface on the access ramp away from Bussey Stool Road is unmade in places and the width does not permit vehicles to pass. Consequently, vehicles have to wait on Bussey Stool Road to enter the site if a vehicle is exiting.
- 18.33 The proposed access is in the same location but will be widened to 8m at its narrowest point, allowing vehicles to pass and larger vehicles (e.g. fixed axle small HGVs) to safely enter or exit in one sweep. The Highways Officer has advised that the proposed visibility is acceptable for the proposal. The same conclusions are

reached with regard to the visibility afforded at the Bussey Stool Road/Valley Road junction and width of the approach roads.

- 18.34 Some third party representations suggest there will be dangers associated with the shared use of the highway by vehicles, cycles and pedestrians. The suggestion is that, given the narrow nature of Valley Road and Bussey Stool Road, the lack of segregated footways and/or cycleways, and no lighting, there will be a dangerous conflict between these various modes of transport. This conflict, the representations advise, will occur due to the increase in vehicular trips to and from the site. In response, members are referred back to the Highway Officer's comments that there are not predicted to be the increases in vehicular trips that some of the third parties have estimated. It is also noted that the proposal provides for a separate pedestrian and cycle access off Valley Road, closer to Tarrant Gunville and avoiding the junction of Valley Road and Bussey Stool Road as well as the vehicular access.
- 18.35 These conclusions are based on the small scale floorspace proposed; an extension of the retail space into the light industrial area is likely to change the balance. A condition is therefore necessary to limit the amount of retail space to 280m<sup>2</sup>.
- 18.36 The parking and cycle spaces proposed on the site accord with the Council's standards, recognising the degree of residual trips by car that will occur in addition to those people walking and cycling to the site.

#### Design, landscape and heritage

- 18.37 For clarification, this is not major development within an AONB.
- 18.38 As confirmed by the AONB officer, the site falls within the Stour and Avon Tributary Valleys landscape character area of the Chalk River Valleys landscape character type (as defined in the AONB's Landscape Character Assessment), close to its interface with the Southern Downland Belt landscape character area of the Open Chalk Downland landscape character type.
- 18.39 The Tarrant Valley is one of a number of the chalk valleys within the landscape character types, but notably much of it is designated as a conservation area too in addition to the AONB designation and includes a number of listed buildings, two of which are close to the site. It is a landscape sensitive to change and the site is visible from a number of sensitive receptors due to its position very close to the foot of the valley and overlooked by public rights of way.
- 18.40 One such public right of way is Public Footpath E20/5. This path follows higher ground to the southwest and, due to the elevated position and lack of natural or other screening between the receptors on the path and the site, unobstructed views are afforded for a significant length of its route. The case officer walked this path on two occasions, stopping frequently to assess the impact of the development from these receptors. A part of the Tarrant Valley Conservation Area sits between these receptors and the site. The two listed cottages (Yew Tree Cottage and Riverside Cottage) are also visible within the panorama. The landscape experienced is, as a result, of notable quality; the listed cottages and other traditional dwellings nestling in the valley floor in the foreground with the agrarian, chalkland countryside extending

away into the distance as the land rises gradually from the valley floor to the north and east.

- 18.41 The clearance by the applicant of intensive livestock units from this landscape in the last 20 years was undoubtedly a welcome intervention in this landscape of quality. However, the baseline position against which the proposal must be considered is that as it exists today i.e. with grassland occupying the areas where the units were once sited.
- 18.42 The landscape, though, is not without late C20th and C21st interventions which are prominent and visible from receptors including those along Public Footpath E20/5. These include the large, modern agricultural building to the northwest of the site which is as close to footpath E20/5 and much closer to the public footpath E20/9, adjacent to Valley Road on the valley floor. There is also a modern residential building to the north of the site setback from Bussey Stool Road on an elevated position and clearly visible from footpath E20/5.
- 18.43 The existing building on the site is a rather incongruous feature within the landscape. Whilst those familiar with the locality will have attuned their experience of the landscape to that which includes the existing building, nevertheless, it is still noticeable as a discordant feature and will be particularly so for visitors experiencing this part of the AONB for the first time. It is also harmful to the setting of the Conservation Area and that of the two listed buildings.
- 18.44 The proposal results in the welcome demolition of the existing building and its replacement with two buildings. Nevertheless, the Council's Conservation Officer, the AONB Officer and the CPRE all object citing, in their opinions, the determinative levels of harm that will result to the landscape and the designated heritage assets arising from the proposed replacement development.
- 18.45 The case officer disagrees with their conclusions. There will undoubtedly be a change to the landscape but with the use of conditions (as explained below), the impact can be positive rather than harmful. In considering the impact, the following matters were noted and assessed.
- 18.46 The layout results in an area of open seating between Valley Road and the larger of the two proposed buildings: -
- a) The Council's Conservation Officer advises in her comments that the acceptable location for the outside seating area would be between the two proposed buildings (and enclosed by walls or other structures of a traditional agrarian design linking these buildings). The location as proposed would undoubtedly be visible from public footpath E20/5 on the higher ground to the south but would be less so from Valley Road and from within the conservation area due to the lower level of the road and the dense, existing boundary hedge which is to be retained.
  - b) Tables, chairs and parasols that are moved inside every evening are not development, but it is fully acknowledged that their presence associated with the use of the area increases its impact on the sensitivity of the landscape,

the setting of the conservation area and the two listed buildings. A degree of noise emanating from people conversing at tables can also change the character of the area and the experience of passers-by on Valley Road.

- c) Use is less likely in inclement weather but could still occur within every week of the year. Given the applicant's proposed opening hours, there would be an expectation that this area would be lit giving rise to considerations of light pollution and impact to the dark skies that are so valued in the AONB and are part of the character and, therefore, the significance of the conservation area and setting of the listed buildings.
- d) In this context, it is the case officer's opinion that the principle of the external seating area between the main building and Valley Road is acceptable but the extent of the area, the hours of its use and its lighting needs to be controlled by condition. There would be unacceptable harm to the landscape as experienced from footpath E20/5 if there were extended periods of use after sunset or before sunrise, or if the area extended to more than 70m<sup>2</sup> and wider than that which would benefit from having the backdrop of the proposed larger building. A condition is suggested to control the use of the external area for the EV hub uses to a that now annotated for such use in the revised proposed site plan. This is not only for landscape and heritage reasons but also to respond to matters of residential amenity explained later in this report. The conditions are necessary and reasonable and do not change the development from that applied for.

18.47 The siting of the larger of the two buildings closer to Valley Road than the existing building's position.

- a) Third party representations have expressed concerns about the larger of the two buildings being proposed closer to Valley Road than the existing building, the suggestion being that the building will be overly prominent and too dominant when experienced from Valley Road, from within the conservation area and when one is experiencing the setting of Yew Tree Cottage and Riverside Cottage.
- b) Buildings close to Valley Road are not uncommon. Indeed, they are part of the prevailing character. The proposed building will also be partly screened by the boundary hedge, the retention of which can be secured by condition. It is acknowledged that the building is not overly traditional agrarian in its character and appearance. Nevertheless, the height is modest (4.9m from ground level to the ridge of the gabled roof, 2.9m to the eaves and 2.3m to the eaves of the proposed veranda). The building is also to be clad in timber and a condition can be used to ensure it naturally silvers rather than an inappropriately incongruous and artificial stain being applied. Timber cladding is not without precedent in the Tarrant Valley, Tarrant Hinton Village Hall being an example. The relatively shallow pitched roof, clad with slate, near to the roadside is also not without precedent in the area, indeed, there are examples within Tarrant Gunville.

18.48 The lack enclosure of the parking area between the two proposed buildings on its north-western (Bussey Stool Road) and south-eastern sides: -

- a) The Council's Conservation Officer considers that the layout should have referenced an inward-looking farmstead, typically characterised by a rectangular crew yard enclosed by buildings or high walls on all sides.
- b) The layout goes some way to achieving this objective, albeit the space between the two buildings is exposed on its northwestern and southeastern sides. This lack of enclosure on these two sides is not, however, considered to be determinative. The experience of the development from the southeast is rather limited. There is a field immediately beyond the boundary with no public receptors and the view from Valley Road is screened by the hedge. A view will be afforded through the access gap to the northwest from Bussey Road, but the impact of the parking is rather limited by the enclosure of most of the bays under the roof of the smaller of the two buildings, not unlike a cartshed. From footpath E20/9 this external space will be screened by the proposed larger of the two buildings.
- c) The space will be visible from the footpath E20/5 due to the latter's elevated alignment. The divergence of the layout away from a traditional farmstead will be apparent here but the two gabled buildings facing each other does have some characteristics and the appearance of such traditional forms. The perspective afforded by the elevation and distance to the site also will provide the illusion of the two buildings being closer together when viewed from the footpath's receptors.

18.49 The location of a number of ancillary elements, such as storage, outside of the two proposed buildings and the space between them.

- a) A number of representations highlighted the lack of correlation between the original proposed landscaping and site plans. The representations also highlighted the perceived unsightliness of such ancillary structures.
- b) It is inevitable that the uses proposed will have storage requirements. It is also reasonable to require that such storage is limited in scale and carefully sited given the sensitivity of the landscape and prominence of the site when viewed from sensitive receptors.
- c) The revised plans now correlate and appropriately provide a bin corral adjacent to the boundary hedge alongside Bussey Stool Road. This corral consists of close boarded fencing that is to a height higher than the standard commercial bins. It also affords 360° screening from ground level within the site and from Bussey Stool Road and Valley Road; the hedges on these road sides provide sufficiently a dense mesh of branches to provide year round screening. The storage will be visible from the elevated footpath E20/5 but only the tops of each bin will be visible. Given the distance from these receptors, the relatively minor scale of this storage compared with the other proposed buildings on site and the soft landscaping proposed in the vicinity, it

is considered that the level of landscape harm arising from the storage will be negligible as will be the visual impact.

- d) Nevertheless, a condition is considered necessary limiting the outside storage to within this corral.

18.50 The location is between two parts of the Stubhampton Conservation Area and in proximity to two Listed Buildings.

- a) There is no doubt that, although the site is not within the conservation area and does not contain any other designated heritage assets, it is within the setting of the abovementioned assets.

- b) The conservation area is one of six areas within the Tarrant Valley encompassing much of this valley and its villages. One Conservation Area Appraisal covers all six areas, not for efficiency but rather because there is a clearly identifiable overall character and appearance, albeit with distinct variations as one travels along the valley. The Conservation Area Appraisal notes that the overall significance is derived from:-

- i. The open rural landscape setting.
- ii. The clustering of villages to the floor and lower slopes of Tarrant Valley
- iii. The River Tarrant and its important historic and contemporary role in the character of the villages (particularly the small historic brick and stone bridges across the river)
- iv. The consistent vernacular palette of materials throughout the valley – particularly the use of cob and straw thatch.
- v. The long views to and settings of churches, other important buildings and structures
- vi. The fine restored stone churches seen within their village setting.
- vii. A large number of mature trees (particularly surrounding the churches) framing and forming the backdrop to historic buildings throughout.
- viii. Historic boundary walls of cob, flint and brick and combinations of these materials which survive throughout the valley.
- ix. The narrow section of lanes with built form set right on the roadside or slightly set back creating dynamic and constantly changing townscape.

- c) Characteristics i., ii, iii, iv. v. and ix. are certainly evident around the site albeit, as advised previously in this assessment, the character is rather diluted by some modern and, in cases, incongruous interventions which probably explains why the majority of this specific area falls outside of the designation. Indeed, as with the wider landscape setting, the current building on site rather detracts from the setting of the conservation area and its removal will result in an enhancement.

- d) The new buildings proposed are unashamedly modern and, as has been identified in some of the representations, there is more glass than would be expected from agrarian buildings of the same scale. Nevertheless, they are simple in form and the lack of elaborative detail and the use of the timber cladding results in a design that is modest, respectful of the setting, and does

actually reference the plain agrarian structures found in the landscape, much more so than the existing building. Indeed, the plain gabled forms, devoid of decoration and with simple “punched” openings is redolent of traditional barn ranges, including those of brick and flint.

- e) The proposed layout has already been discussed with regards to wider landscape setting and visual impact. For the same reasons, it is suggested that the alignment of the two proposed buildings, the semi-enclosure of the parking, the control over outside uses and storage, and the proposed soft landscaping (including the boundary hedge retention) will ensure that the character and appearance of the conservation area is preserved. The impact during night (given that dark skies is part of the character) is considered separately in paragraph 18.50 below.
- f) Turning to the setting of the two listed buildings, these cottages are very much part of the character of the conservation area. They are both vernacular cottages their significance not only derived from their architectural and historical qualities described in the listing, but also from their setting along the lane on the valley floor in countryside predominantly but not exclusively in agricultural use. They are intrinsically a valued part of that series of experiences of typical Tarrant Valley vernacular architecture as one traverses the valley in either direction. Given the C20th interventions within the landscape, including the building within the application site, they are a visual reminder of the historic forms that prevailed in the valley before changes occurred. The existence of non-vernacular forms within the landscape provides the ability for further changes to occur within the listed building’s setting without harm. Indeed, the proposed loss of the existing building within the site and the careful design and siting of the proposed buildings, the control of outdoor uses and storage and the retention of the hedge along Valley Road, will ensure the setting will be preserved (no harm).

#### 18.51 The location within an area of dark skies and the potential for harmful light pollution:

- a) The case officer visited the site environs after sunset and noted the lack of light pollution in the area. Some of the buildings in the vicinity had external lighting but in all instances they did not result in sky glow or spill beyond confined areas immediately around the light fixtures.
- b) The proposed opening hours, nature of the proposed uses (specifically the retail element) and the extent of the site area including the parking give rise to the probability that a number of external lights will be desired. In certain winter months there could potentially be periods when the lights are illuminated for 6 hours and more. For health and safety reasons it is reasonable that the site would need external lighting when the parking and external seating are in place and when there are deliveries or waste and recycling is being taken to and from the bin storage area.
- c) It is also acknowledged that the lighting could not only give rise to unacceptable levels of light pollution affecting the dark skies, but also have



an adverse impact on the residential amenity of those dwellings within 200m of the site on the opposite side of Valley Road.

- d) It is in this context that it is necessary for a lighting scheme to be agreed that complies with the AONB's guidance and, in addition, for opening hours, the times that the outdoor seating can be used and delivery times to be controlled. It is suggested that times can be specified to prevent determinative impacts to the dark skies and residential amenity whilst also providing an extent of hours that does not affect the viability of the uses. Such conditions would also respond to the fact that the current use is not restricted by any planning conditions relating to operating hours, but nor do the current occupiers benefit from external lighting.

#### Residential amenity

18.52 The preceding paragraph detailed why some conditions are necessary due to light pollution affecting nearby dwellings. The same conditions are also considered necessary due to potential noise and disturbance impacts arising from both the construction and operational phases of the development.

18.53 It has already been cited in this report that part of the prevailing character of the Tarrant Valley is historic dwellings adjoining road edges. Many of these are listed, including two of the closest to the site and still have single glazing on windows next to the road. Most also line Valley Road which is the route that connects the site to the A354 and, in comparison to Bussey Stool Road, the most likely way that motorists will get to and from it.

18.54 Whilst not severe, the traffic generated by the proposal (customers, employees, deliveries, waste collection) is highly likely to be noticeable by residents of the dwellings that abut Valley Road. During daytime hours, the case officer noted that traffic along Valley Road already includes delivery vans, tractors and waste collection vehicles. However, the character changes in the early evening, especially after school runs have been completed and when many people working elsewhere have returned home from their workplace. The noise levels are noticeably quieter and the traffic lighter. Customers, delivery vehicles and employees travelling to and from the site's retail uses would therefore be noticeable to a degree that the noise and disturbance arising from these movements would be unacceptable. The case officer considers that this watershed occurs around 7pm on a weekday. This necessitates a condition restricting evening opening and delivery hours.

18.55 Similarly, the use and extent of the outdoor seating area needs to be controlled given its location between the larger of the two buildings and the Valley Road boundary.

18.56 The demolition and construction phase are also likely to result in residential amenity impacts that need to be controlled. These could include dust and noise from the demolition and construction activities within the site as well as movement of plant and machinery both off and on site. A condition is necessary.

## Biodiversity

- 18.57 A biodiversity plan has been approved by the Council's Natural Environment Team (NET). This includes both mitigation and biodiversity net gain measures. Mitigation includes the retention and protection with temporary fence during demolition and construction works of the existing boundary hedges (with the exception of the lengths required to be removed for the widened vehicular access off Bussey Stool Road and the new pedestrian access from Valley Road.
- 18.58 A bee/insect "hotel" is also being proposed as part of the net gain and this is depicted on the revised site layout and landscaping plans.
- 18.59 Mitigation measures also include control of external lighting. The details of this lighting, as explained in the "dark skies" sub-section of this assessment, can be secured by condition.

## Flood risk and Drainage

- 18.60 The site is within flood zone 1, land at the least probability of fluvial flooding. It is also recorded as being at low risk of surface water flooding. The development therefore passes the Sequential Test.
- 18.61 It is noted that there is a medium risk of surface water flooding on Bussey Stool Road and a high risk on sections of Valley Road adjacent to the site. This is because the roads are lower than the surrounding land. The proposal significantly increases the extent of impermeable surfaces across the site. As a consequence, there is the probability that, in the absence of on-site attenuation, the development could increase runoff onto both Valley Road and Bussey Stool Road and exacerbate the existing surface water flooding incidents.
- 18.62 The submission particulars reveal the proposed use of soakaways for surface water drainage and a package treatment plant for foul water. Both are acceptable in principle but detail is lacking. Examination of the proposed site plan reveals that there is space to accommodate any on site attenuation that may be required, including an allowance for climate change, and, in this context, it is reasonable and appropriate to leave the approval of the details of both surface and foul water drainage to a condition.

## **19.0 Balance and Conclusion**

- 19.1 This is a development proposal that will result in landscape change. It will have a visual impact and increase vehicular flows along Valley Road and Bussey Stool Road. It would also, in the absence of restrictive conditions in relation to retail opening hours, use of the outdoor seating area, external storage and delivery times, result in unacceptable impacts to the dark skies character of the area and residential amenity. Furthermore, without limits on the retail floorspace, the proposal could have adverse impacts on the viability and vitality of Blandford Forum town centre. A lack of compliance with the measures detailed in the Biodiversity Plan would result in unacceptable adverse impacts to biodiversity.

19.2 However, with the appropriate conditions in place, the above-mentioned impacts would be appropriately mitigated, and as such, this is a development plan compliant proposal.

## 20.0 Recommendation

20.1 Grant permission subject to the following conditions.

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

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

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

- Revised landscaping plan – received 30<sup>th</sup> June 2022.
- Revised Proposed Site Plan 21147.04 F – received 30<sup>th</sup> June 2022.
- Revised Visibility Splay Plan ED/SS203/Vis01 – received 13<sup>th</sup> April 2022.
- Proposed Southern Bin Store and Substation Plan 21147.08 A– received 10<sup>th</sup> March 2022
- Proposed Northern Bin Store – 21147.07 A - received
- Hub Building – Proposed Floor Plan, Elevations and Site Sections 21147.05 B received 10<sup>th</sup> March 2022.
- Covered parking – Proposed Floor Plan, Elevations and Site Sections 21147.06 B received 10<sup>th</sup> March 2022.
- Location Plan 21147/01 B received 18<sup>th</sup> February 2022.

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

3. Prior to the commencement of development details of a surface water and foul drainage scheme for the site shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented prior to the completion of the development and thereafter retained for the development's lifetime.

Reason: The use of a package treatment plant for foul drainage and soakaways for the surface water are acceptable in principle, but insufficient detail has been provided with the application to ensure that there is no increases in flooding and water pollution off and on the site, allowing for climate change.

4. Prior to commencement of development, a detailed external lighting scheme which accords with the principles of the Cranborne Chase and West Wiltshire Downs AONB Good Practice Note 7a (Feb 2022), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

- a) The positioning and specification of each light.
- b) The times of illumination which shall be limited to the hours:-
  - i. 08:00 to 19:00 Mondays to Fridays (excluding Bank and Public Holidays);
  - ii. 08:00 to 17:00 Saturdays
  - iii. 09:00 to 17:00 Sundays, Bank and Public Holidays

There shall be no lighting for the development other than in accordance with the approved scheme.

Reason: In the interests of biodiversity, residential amenity, to minimise light pollution and recognise the site's location within the dark skies of the Cranborne Chase and West Wiltshire Downs AONB.

- 5. The internal floorspace for the uses hereby permitted falling within Class E (a-c) of the amended Town and Country Planning (Use Classes) Order 1987 shall be limited to no more than 280m<sup>2</sup> (GIA).

Reason: In the interests of the viability and vitality of Blandford Forum town centre, the residential amenity of nearby occupiers and highway safety.

- 6. The external area for the uses hereby permitted falling within Class E (a-c) of the amended Town and Country Planning (Use Classes) Order 1987 shall be limited to that annotated as the Outdoor Seating Area on approved drawing 21147.04 F and to the hours of:-

- i. 08:00 to 19:00 Mondays to Fridays (excluding Bank and Public Holidays);
- ii. 08:00 to 17:00 Saturdays
- iii. 09:00 to 17:00 Sundays, Bank and Public Holidays

Reason: To safeguard the character and amenity of the area and living conditions of surrounding residential properties.

- 7. The uses hereby approved falling within Class E (a-c) of the amended Town and Country Planning (Use Classes) Order 1987 shall not be open for customers outside of the hours:-

- i. 08:00 to 19:00 Mondays to Fridays (excluding Bank and Public Holidays);
- ii. 08:00 to 17:00 Saturdays
- iii. 09:00 to 17:00 Sundays, Bank and Public Holidays

Reason: To safeguard the character and amenity of the area and living conditions of surrounding residential properties.

8. No deliveries shall be taken at or despatched from the site for the uses hereby approved falling within Class E (a-c) of the amended Town and Country Planning (Use Classes) Order 1987 outside the hours of: -

- i. 08:00 to 19:00 Mondays to Fridays (excluding Bank and Public Holidays);
- ii. 08:00 to 17:00 Saturdays
- iii. 09:00 to 17:00 Sundays, Bank and Public Holidays

Reason: To safeguard the character and amenity of the area and living conditions of surrounding residential properties.

9. The development hereby approved shall include, at any one time a minimum of 170m<sup>2</sup> (GIA) floorspace falling with Class E (g) (iii) of the amended Town and Country Planning (Use Classes) Order 1987.

Reason: The retention of this employment floorspace is necessary to make the development acceptable in this countryside location given the proposed loss of the existing building.

10. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 18<sup>th</sup> February 2022 (ref DBAP21531NH) must be strictly adhered to during the carrying out of the development. The development hereby approved must not be first brought into use unless and until:

- a) the mitigation, compensation and enhancement/net gain measures detailed in the approved biodiversity plan have been completed in full, unless any modifications to the approved Biodiversity Plan as a result of the requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority, and
- b) evidence of compliance in accordance with section J of the approved Biodiversity Plan/the LEMP has been supplied to the Local Planning Authority.

Thereafter the approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.

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

11. Before the first use of uses hereby approved falling within Class E (a-c) of the amended Town and Country Planning (Use Classes) Order 1987, the first 10.00 metres of the vehicle access as detailed on the approved site plan 21147.04 F – received 30<sup>th</sup> June 2022, measured from the rear edge of the

highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority. The said surface shall thereafter be retained for the lifetime of the Class E (a-c) use of the site.

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

12. Before the first use of uses hereby approved falling within Class E (a-c) of the amended Town and Country Planning (Use Classes) Order 1987, the areas shown on Drawing Number 21147.04 F – received 30<sup>th</sup> June 2022 for the manoeuvring, parking, loading and unloading of vehicles shall have been surfaced, marked out and made available for these purposes. Thereafter, these areas must be maintained, kept free from obstruction and available for the purposes specified.

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

13. Before the first use of uses hereby approved falling within Class E (a-c) of the amended Town and Country Planning (Use Classes) Order 1987, the visibility splay areas as shown on the approved Revised Proposed Site Plan 21147.04 F – received 30<sup>th</sup> June 2022 and Revised Visibility Splay Plan ED/SS203/Vis01 – received 13<sup>th</sup> April 2022 must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. Notwithstanding the provisions of the Town and Country Planning General Development Order 2015, or any Order revoking or re-enacting that Order, the visibility splay areas shall thereafter be maintained and kept free from all obstruction above this height.

Reason: In the interests of highway safety.

14. Prior to the commencement of any development hereby approved, including demolition, all existing trees and hedges to be retained as shown on approved plan Revised Landscaping Plan (received 30<sup>th</sup> June 2022), shall be fully safeguarded in accordance with BS 5837:2005 (Trees in relation to construction - recommendations) or any other Standard that may be in force at the time that development commences and these safeguarding measures shall be retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.

15. The soft landscaping works detailed on approved Revised Landscaping Plan (received 30<sup>th</sup> June 2022) must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 15 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site given the AONB setting and enhance the biodiversity, visual amenity and character of the area.

16. Prior to development other than demolition, details of all external facing materials for the walls, roofs and rainwater goods shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development given the AONB setting and visibility from sensitive public receptors.

17. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants during both the demolition and construction phases of the development hereby approved. The CEMP shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities) as well as the hours and days when the demolition and construction processes will take place. The development shall thereafter be carried out strictly in accordance with the approved CEMP.

Reason: In the interests of the residential amenity of occupier of homes on Valley Road.

18. No waste shall be stored for collection other than within the bin areas marked on the Revised Proposed Site Plan received 30<sup>th</sup> June 2022.

Reason: To protect the character and amenity of the area given the AONB setting and prominence when viewed from sensitive public receptors.

19. Prior to the first use of the uses falling with Class E (a-c) of the Town & Country Planning (Use Classes) Order 1987 (as amended) hereby approved, the cycle parking facilities shown on the revised Proposed Site Plan received 30<sup>th</sup> June 2022 shall be constructed and made available. Thereafter, these

shall be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure provision of adequate cycle parking to support sustainable transport; in the interests of highway safety and residential amenity.

### **Informatives**

- 1) The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at [dorsethighways@dorsetcouncil.gov.uk](mailto:dorsethighways@dorsetcouncil.gov.uk), or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.
- 2) In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.  
The council works with applicants/agents in a positive and proactive manner by:
  - offering a pre-application advice service, and
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.