

Application Number:	P/FUL/2022/07866
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Upton Manor Farmhouse Uploders Road Uploders Dorset DT6 4PQ
Proposal:	Retain stone boundary wall
Applicant name:	Mr Lord
Case Officer:	Jo Langrish-Merritt
Ward Member(s):	Cllr Alford

1.0 This application is brought to committee at the request of the Service Manager for Development Management and Enforcement following a scheme of delegation consultation.

2.0 Summary of recommendation:

Grant subject to conditions.

3.0 Reason for the recommendation:

The wall, proposed to be retained, is considered to be acceptable. It is considered that as the wall would be attached to the adjacent curtilage listed barn and this front section of the wall which is viewed in the context of the listed building is natural stone, the rendered panels along the boundary away from the listed building would be acceptable. Furthermore, the wall has been particularly well finished and detailed with stone capping and stone pillars and therefore on balance the wall is not considered to cause harm to the listed building it is attached to, the setting of the grade II* listed building or the wider Conservation area.

4.0 Key planning issues

Issue	Conclusion
Impact on Grade II* Listed Building and wider Conservation area	The wall, proposed to be retained, is natural stone at the front elevation of the building with the infill panels on the elevation that projects north west away from the building. Furthermore, it has been particularly well finished and detailed with stone capping and stone pillars. The natural stone materials would be in keeping with the stone barn and outbuildings on the site. Therefore, it is not considered to cause harm to the grade II listed building it is attached to or the setting of the grade II* listed building or the wider conservation area.

Impact on amenity	The wall was erected to block an existing private access route through the site to ensure site security and help assist with noise from the adjacent barn which is in commercial use.
Impact on AONB	The wall would be seen in the context of the existing built development and would not have an impact on the wider AONB.

5.0 Description of Site

Upton Manor Farmhouse is a Grade II* Listed Building. The house is a 16th century thatched longhouse. There are a range of former farm buildings consisting of a barn and other smaller traditional farm buildings which are Grade II listed and now in residential/commercial use.

The wall is attached to the adjacent barn and runs along the boundary with this barn and the applicant's property.

The site is situated within the Loders & Uploders Conservation Area and AONB. Public Rights of Way run along the northern boundary of this site but are not affected by this scheme.

6.0 Description of Development

The applicant is seeking planning permission and listed building consent for a stone/block & render boundary wall to be retained. The wall was erected to block an existing private access route through the site to ensure site security and help assist with noise from the adjacent barn which is in commercial use. The wall is a mixture of natural stone with rendered infill panels. The wall is approximately 20m long and varies in height between 1.5-2.1m high. The wall runs along the boundary and replaces a previous wooden fence.

7.0 Relevant Planning History

None relevant.

8.0 List of Constraints

Grade II* Listed Building: UPTON MANOR FARMHOUSE

Grade II Listed Building: STABLE BLOCK

Grade II Listed Building: BARN AND ATTACHED YARD OF COW STALLS 140 METRES WEST OF UPTON DAIRY FARM

Conservation area

Area of Outstanding Natural Beauty; Dorset

Land Outside Define Development Boundaries

Legal Agreements S106

Right of Way: Bridleway W13/15; - Distance: 2.49

Right of Way: Bridleway W13/11; - Distance: 8.27

Minerals and Waste Safeguarding Area

9.0 Consultations

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

Consultees

Comments received in relation to the previous schemes.

1. Loders Parish Council

No objection subject to Conservation Officers report

2. Conservation Officer

The justification for the proposed wall was discussed in person with the owner on site. There are no conservation objections to the replacement of the fence with a boundary wall and overall it has aged well. However, in order to better enhance the setting of the Grade II* former hall house and surrounding listed buildings, the rendered panels should be in-filled in matching stone/mortar/coursing (this would need to be conditioned to any consent granted). I would suggest that if these changes are forthcoming, then revised plans should be provided and a time period within which the work should be carried out (say 6 months) should be applied to both the planning and listed building applications.

I make the above suggestions without having had any discussion with Historic England and note that they have not been consulted on either application. As the development impacts the setting of a Grade II* Listed Building, consultation should be undertaken. Whilst it may be unlikely that they will wish to comment in detail, the applications shouldn't be determined until a response has been received. Clearly if Historic England were to voice objections to the development (including the improvements suggested), then this should carry weight in the planning balance.

As it stands, the conservation view is that the works create less than substantial harm to the setting of the Grade II* dwelling, surrounding listed buildings and the character and appearance of Uploders Conservation Area. The suggested improvements would assist in outweighing that harm on the basis that a solid, natural stone boundary wall is considered to be more in keeping with the site than a close boarded fence. Especially taking into account the different ownerships of the former farm complex buildings.

3. Historic England

We suggest that you seek the views of your specialist conservation and archaeological advisers.

4. Third Party comments

None received.

10.0 Relevant Policies

Development Plan

Adopted West Dorset and Weymouth & Portland Local Plan:

The following policies are considered to be relevant to this proposal:

- INT1- Presumption in favour of Sustainable Development
- ENV1 – Landscape, seascape & sites of other geological interest
- ENV4 – Heritage assets
- ENV5 – Flood risk
- ENV10 - The landscape and townscape setting
- ENV 12 – The design and positioning of buildings
- ENV 16 – Amenity

Neighbourhood Plans

Loders Neighbourhood Plan (made 21/7/2016)

NP Policy E4: To Protect and Enhance the Character and Appearance of the Area

Development proposals (including new buildings and extensions / alterations to existing buildings) will be supported where they are sympathetic with adjacent buildings and achieve a high quality of design, use of materials and appropriate detailing which reflect local distinctiveness and respects the rural character of Lodors Parish

Material Considerations

National Planning Policy Framework:

Relevant NPPF sections include:

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits

when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

Other Material Considerations:

Statutory Duties

- Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be had to the desirability of preserving any Listed Building or its setting or any features of special architectural or historic interest which it possesses.
- Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

- Section 85 of the Countryside and Rights of Way Act (2000) requires that regard is had to the purpose of conserving and enhancing the natural beauty of the AONB.

All of Dorset:

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

Supplementary Planning Documents/Guidance For West Dorset Area:

WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment February 2009 (West Dorset)

Conservation Area Appraisals:

Loders and Uploders, Powerstock and Nettlecombe adopted January 2007

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. It is considered that the retention of the wall would have no impact on those with protected characteristics.

13.0 Financial benefits

Non material considerations – No relevant considerations.

14.0 Climate Implications

No relevant considerations.

15.0 Planning Assessment

Impact on Listed Building and Conservation Area

The works have already occurred, and this application seeks permission to retain them. Whilst the Council's Conservation Officer is widely in support of the works, concerns have been raised in relation to the infill panels of render within the natural stone wall.

The stone wall adjoins the front of the adjacent barn and then curves round 90 degrees projecting north west and creates the boundary between the adjacent barn and the applicants property. The section of wall with the infill panels is approximately 17m long and has 3 large infill panels and one smaller infill panel, all in render. The wall itself is finished with stone capping at the top and bottom of the panels.

Whilst it is acknowledged that the Conservation Officer's suggestion of natural stone infills would give a more uniformed traditional appearance, the existing infill panels are only on the section projecting north west and not on the section directly abutting the listed barn. As such when viewed from the front street view, the elevation of the wall abutting the listed barn is entirely natural stone in keeping with the stone barn. The infill panels due to their location would only be visible from the parking area for Upton Manor Farmhouse and would not be visible from the public rights of way to the north and east of the site which are between 50-100m away.

Therefore, whilst the Conservation Officers comments and suggested conditions have been thoroughly considered it is felt that the wall, given that it is natural stone at the front elevation of the building with the infill panels on the elevation that projects north west away from the building and that it has been particularly well finished and detailed with stone capping and stone pillars does not cause harm to the setting of the grade II * listed building, the listed barn or the wider conservation area.

Furthermore, a degree of weathering has already taken place and any additional infill with stone will appear more conspicuous with any new stonework not looking as aged. As such, on balance, the scheme is not considered to cause harm to the listed building or the setting of the grade II*listed Building and would preserve the character of the Conservation area in accordance with policy ENV4 of the West Dorset, Weymouth & Portland Local Plan (2015) and advice at Section 16 of the NPPF (2021).

Amenity

The wall forms part of the boundary wall of the garden and would protect the privacy of the applicants and the neighbouring barn. No objections have been raised by third parties. The wall itself was initially erected to provide a sound barrier from the adjacent wood joinery business in the barn and for site security reasons. As such in

terms of amenity it appears to be improving the current situation with the adjoining joinery business and it is considered to have an acceptable impact on amenity in accordance with policy ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015).

AONB

The wall would be seen in the context of the existing built development and would not have an impact on the wider AONB.

16.0 Conclusion

The retention of the wall is considered to be acceptable. Whilst the Conservation Officers concerns regarding the infill panels have been considered it is felt that as the wall would be attached to the adjacent listed building and the front section of the wall, which is viewed in the context of the listed building, is natural stone, the wall does not adversely affect the setting of designated heritage assets. Furthermore, the wall has been particularly well finished and detailed with stone capping and therefore on balance the wall is not considered to cause harm to the listed building, the setting of the grade II* listed building or the wider Conservation area.

17.0 Recommendation

Grant subject to conditions.

Conditions:

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

Location Plan DAS-21-74-01

Location and Block Plan DAS-21-74-01A

Floor Plans DAS-21-74-02

Elevations DAS-21-74-03

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