

Officer Report

Application Number:	P/FUL/2023/01319		
Webpage:	Planning application: P/FUL/2023/01319 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Bonscombe Farm, Bonscombe Lane, Shipton Gorge, Dorset, DT6 4LJ		
Proposal:	Conversion and change of use of an existing agricultural building to holiday let accommodation		
Applicant name:	Mr and Mrs Eric and Helen Benedict		
Case Officer:	Charlotte Loveridge		
Ward Member(s):	Cllr Roberts		
Publicity expiry date:	4 April 2023	Officer site visit date:	22 June 2023

1.0 Application being referred through Scheme of Delegation procedure due to Shipton Gorge Parish Council's support of the application being contrary to officer recommendation to Refuse.

2.0 Summary of recommendation:

Refuse planning permission.

3.0 Reason for the recommendation:

- The existing building is of little visual merit or quality and not considered to be worthy of retention in how it relates to local character as it is not a traditional vernacular stone farm building of the area or with any architectural or historical merit.
- The appearance of the proposed scheme would be so altered by increasing the roof height and the insertion of a considerable amount of fenestration that the result has little reference to it being a former agricultural building but reminiscent of a suburban park home dwelling.
- The proposal is considered to create harm to the character, special qualities, dark skies and natural beauty as well as the sense of tranquillity and remoteness of the Powerstock Hills landscape character area within the Dorset AONB.
- The location is not considered to be sustainable as the proposal is not sensitive to its surroundings in its design and general visual impact.
- There are no minor amendments that could be made within the scope of this application to make the proposal acceptable.

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4.0 Key planning issues

Issue	Conclusion
Principle of development	Policies SUS2, SUS3, ECON6 & ECON8 of the West Dorset, Weymouth & Portland Local Plan (2015) support the principle of adaptations and re-use of existing buildings outside defined development boundaries for tourism uses and as diversification of land-based rural businesses subject to being in keeping with the rural character.
Scale, design, impact on character and appearance	Policy SUS3 supports the adaptation and re-use of rural buildings <i>if</i> the existing building makes a positive contribution to local character and if their proposed form, bulk and design will make a positive contribution to the local character. ENV10 states that development should be informed by the character of the site and its surroundings whilst ENV12 requires the siting, alignment, design, scale, mass and materials to complement and respect the surroundings and be in harmony with the area as a whole. The proposed development is considered to be in conflict with these three policies.
Impact on amenity	There are no adverse impacts on neighbouring amenity so accords with ENV16.
Impact on landscape within the Dorset AONB and landscape character area	The proposed conversion is in an isolated position in the open countryside and is considered that its development would harm the character, special qualities and natural beauty as well as the sense of tranquillity and remoteness of the Dorset AONB contrary to policies ENV1 & ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraphs 176 to 178 of the NPPF (2021& 2023) & Dorset AONB Management Plan policies.
Impact on flooding of the site & surroundings	The first part of the access track off Bonscombe Lane lies within an area with a susceptibility to groundwater flooding and fluvial flooding. Considered acceptable if used as a holiday let.

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	As such the scheme complies with policy ENV5.
Impact on Biodiversity & Ecology	The approved BMP and Appropriate Assessment means the scheme complies with policy ENV2 of the West Dorset, Weymouth & Portland Local Plan (2015) and para. 180 of the NPPF (2021 & 2023).
Economic benefits	A limited addition to the rural economy, but contrary to para.84(c) of the NPPF.
Public Right of Way	The proposal would not make a positive contribution to the character of the countryside and would detract from the quality of views from the public right of way that passes to the south of the site.
Access and Parking	The site can accommodate adequate access and car parking and there are no highway objections to accord with COM9.

5.0 Description of Site

- The disused piggery building is located in an isolated position over 300metres south west of Bonscombe Farmhouse.
- The site would be accessed from Bonscombe Lane and then by following a trackway (yet to be constructed) in a south westerly direction along the edge of the fields to reach the building.
- The existing building has a footprint of about 107m², and is just under 20m long.
- It is constructed of concrete blockwork with a concrete render with an cement (possibly asbestos) fibre sheet roofing.
- The building sits on a level area of ground where the land gently slopes away to the north east out to an open vista with views towards Eggardon Hill 3.4miles away.
- There are areas of concrete hardstanding away from the north east elevation where there was previously another structure (still there in Sept 2020 aerials, gone by July 2021 & 2023).
- The site is surrounded by agricultural land.
- There are mature field hedgerows along the south western and south eastern boundaries of the site, and partially on the north east and north eastern boundaries which also has post and pig-net fencing along some of it.
- There are a number of mature trees on and around the site.
- Within 100m to the north is a tree covered area at the foot of Bonscombe Hill which has strip lynchets running along it.
- The edge of development in Shipton Gorge is 500m to the east ('Rockway').

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- The closest public right of way is approached from Burbitt Lane which departs the main village road of Shipton Road in a westerly direction. The W15/23 footpath then takes you in a north westerly direction diagonally across the field to the south of the piggery building where the roof of the building can be seen above the hedgeline. The open views looking south easterly from this footpath are over Shipton Gorge and the surrounding hills.
- The site lies within the Powerstock Hills landscape character area, which is described as having one of the most distinctive and intimate landforms of the AONB landscape. It has a unique pattern of small conical hills with wooded sides that surround a branching network of deep, intimate river valleys. Along the valleys floor, dense hedgerows and small-scale irregular pastures add to the intimate quality. The complex network of narrow incised winding lanes is a real feature of this tranquil landscape. The area has an undeveloped character with impressive views from largely open hill tops. There is a gentle transition to the surrounding hills with a marked contrast to the more flat and open character of the Brit Valley further west.
- The area has retained its strong undeveloped rural character, with associated characteristics of tranquillity, remoteness and dark nights skies.

6.0 Description of Development

The proposal is to convert the disused rural building into a holiday let with an added entrance porch, 2 double-bedrooms with en-suites, a kitchen/dining/living area with bifold doors out to a terraced area on the rear (south western) elevation. There would also be a gravel driveway, 2 parking spaces and a private waste treatment plant installed in the proposed garden area on the south western side of the building with soakaways for surface water.

7.0 Relevant Planning History

1/W/03/001633 - Decision: GRA - Decision Date: 25/05/2004
Change of use from storage/annex building to 1No unit of holiday accommodation

1/D/10/000701 - Decision: REF - Decision Date: 12/07/2010
Two storey extension

1/D/10/001651 - Decision: GRA - Decision Date: 12/11/2010
Single & two storey extension to dwelling. Change of use from agricultural land to residential garden

1/D/10/001918 - Decision: GRA - Decision Date: 21/12/2010
Certificate of lawfulness of land as residential garden associated with the dwelling known as Bonscombe Farm

1/D/11/000951 - Decision: GRA - Decision Date: 28/07/2011
Single and two storey extension & alterations to dwelling. Change of use from agricultural land to residential garden

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WD/D/18/002815 - Decision: RES - Decision Date: 14/12/2018
Pre- application consultation - Change of use and conversion of an agricultural barn to a holiday let unit. *(there is no record of a written response of the advice given)*

WD/D/20/002856 - Decision: RES - Decision Date: 15/12/2020
Erection of Agricultural building and construction of farm track. *(the prescribed 28 day period for determination passed before a response was issued so works as set out and described can commence)*

8.0 List of Constraints

ENV 1; Area of Outstanding Natural Beauty; Dorset - Distance: 0

SUS 2; Land Outside DDBs; NULL - Distance: 0

Shipton Gorge CP - Distance: 0

PROW - Right of Way; Bridleway W15/24; - Distance: 45.34

EA - JBA - Risk of Groundwater Emergence; Groundwater levels are between 0.025m and 0.5m below the ground surface.; Within this zone there is a risk of groundwater flooding to both surface and subsurface assets. There is the possibility of groundwater emerging at the surface locally.; - Distance: 0

Area of Outstanding Natural Beauty (AONB): Dorset; - Distance: 0 *(statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)*

Higher Potential ecological network - Distance: 0

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 2483.5

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

Minerals and Waste Safeguarding Area - ID: 6827; - Distance: 0

Minerals and Waste - Building Stone - Name: 783; - Distance: 0

Radon: Class: 3 - 5% - Distance: 0

9.0 Consultations

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

Consultees

1. DC - Rights of Way Officer

No response received.

2. DC - Highways

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No objection subject to a turning/manoeuvring and parking construction condition.

3. DC - Minerals & Waste Policy

The safeguarded mineral underlying the site is expected to be Inferior Oolite. The Mineral Planning Authority accepts that, although the mineral is safeguarded, we can confirm that in this case the mineral safeguarding requirement is waived and no objection will be raised to this proposal on mineral safeguarding grounds.

4. DC - Dorset Waste Team

No response received.

5. P - Bothenhampton and Walditch Parish Council

No comment (parish boundary within 100m)

6. DC - Economic Development and Tourism

No response received.

7. W - Chesil Bank Ward

No response received.

8. DC - Building Control West Team

No response received.

9. P - Shipton Gorge PC

ALL councillors responded and supported this application. This application is fully supported by Shipton Gorge Parish Council. Turning a derelict farm building into a holiday let will have minimal impact on the environs of the village. The present building cannot be seen from either the foot path or from other sites in the village. In addition, it will give employment and support businesses in the local area.

10. Dorset Wildlife Trust

No response received.

11. Ramblers Association

No response received.

12. Natural England

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No objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites (European sites).

Your appropriate assessment concludes that your authority can ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question by compliance in line with the named mitigation measures. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Representations received

Total - Objections	Total - No Objections	Total - Comments
0	0	0

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

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.

11.0 Relevant Policies

Development Plan Policies

Adopted West Dorset and Weymouth & Portland Local Plan (2015):

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
- ENV2 - Wildlife and habitats
- ENV5 - Flood risk
- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV 16 - Amenity
- SUS2 - Distribution of development
- SUS3 - Adaptation and re-use of buildings outside defined development boundaries
- ECON6 - Built tourist accommodation
- ECON8 - Diversification of land-based rural businesses
- HOUS6 - Other residential development outside

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- COM7 - Creating a safe & efficient transport network
- COM9 - Parking provision

Other Material Considerations

Emerging Dorset Council Local Plan:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Emerging Neighbourhood Plans

National Planning Policy Framework (2023):

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.

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- Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 78-80 reflecting the requirement for development in rural areas.
- Section 6 'Building a strong, competitive economy', paragraphs 84 and 85 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- 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 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 176). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 173). Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.

National Planning Practice Guidance

Supplementary Planning Document/Guidance

All of Dorset:

Dorset AONB Landscape Character Assessment (*Powerstock Hills*)

Dorset AONB Management Plan 2019-2024 (*Policies C1, C2, C4*)

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WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment February 2009 (West Dorset) (*Powerstock Hills para.18.5 – Detrimental features: visual impact of agricultural buildings*)

12.0 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.

13.0 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.

Having regard to the information provided in the current application, as well as policy Construction of the proposed conversion would be subject to Building Control legislation which sets standards for the design and construction of buildings addressing various matters including accessibility and which help ensure that new buildings are safe, healthy and high-performing.

Officers have not identified any specific impacts arising from the development on those persons with protected characteristics.

14.0 Financial benefits

Material considerations:

Employment created during the construction phase

Small element of employment created through servicing of holiday let

Revenue to the rural economy

Holiday makers support of local businesses

Non material considerations:

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CIL contributions
Business rates

15.0 Environmental Implications

The proposal will contribute to additional CO₂ emissions from the conversion and use of the building. The only realistic way to access the building will be by motor vehicle.

16.0 Planning Assessment

Principle of development & planning history

Planning history

The owners of Bonscombe Farm bought this additional area of land adjoining their existing land a few years ago. They have previously carried out the conversion of a traditional stone built storage/annex building at the main house complex into a unit of holiday accommodation under a 2003 planning application. This is now known as 'The Wheelhouse'.

The land is in agricultural use (approx. 10ha/23ac which is split between sheep grazing and apple farming). The proposed conversion of the redundant piggery building is intended to directly support that established use.

A 2020 prior approval notification for an agricultural building was submitted under WD/D/20/002856 for the erection of an agricultural building and construction of a farm track. The proposed agricultural building would be 10m x 8m, 5m to the eaves and 6.5m to the ridge and constructed of dark green sheet metal. It would be located on the existing concrete hardstanding areas 28m north east of the proposed piggery conversion. The trackway (compacted gravel) and agricultural storage building have not yet been constructed. It has been mentioned that if they are able to convert the piggery building to a holiday let then they would look to put the storage barn somewhere else so that it doesn't spoil the view from the holiday let.

Pre-application advice

A pre-application consultation was submitted under WD/D/18/002815 for "*Change of use and conversion of an agricultural barn to a holiday let unit.*" This was to assess the possibility of converting the piggery building. It is unfortunate that no written record of the response was issued; and having asked the officer that dealt with the application if they recall what their response was, they advised that they were enthused about a positive outcome subject to normal policy considerations and that if it were being promoted as a farm diversification project then it would need to be tied via a S106 legal agreement to the wider farm holding. They did also comment on viewing the plans that they were expecting it to be more visually improved than has been applied for.

It is also noted that the pre-application consultation site visit was in March 2019 which was 4 years ago, during which time some policies and guidance have

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changed. Pre-application advice is caveated that it is based on current legislation, planning policy and guidance available at that time and given without prejudice to any future application.

Therefore only limited weight can be given to the anecdotal pre-application advice given.

Principle of development

Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015) supports the principle of development outside of defined development boundaries for farm diversification including tourism related development but states:

iii) "development will be strictly controlled, having particular regard to the need for protection of the countryside and environmental constraints."

Policy SUS3 of the West Dorset, Weymouth & Portland Local Plan (2015) supports the principle of the adaptation and re-use of rural buildings outside defined development boundaries. The first part of SUS3 at i) states that the adaptation and re-use of buildings will be permitted where *"the existing building is of permanent and substantial construction, makes a positive contribution to the local character, and would not need to be substantially rebuilt or extended; and their proposed form, bulk and design will make a positive contribution to the local character;"*

The SUS3 supporting text also says *"It is however important to consider whether the building is worthy of retention (in terms of its structure and how it contributes to local character), the impact on the surroundings that may arise from the changes necessary to enable the re-use..."* It is considered in this instance, that the building is not worthy of retention. It is a building of around 50 years old (it isn't shown on the 1937-1961 OS maps) made of concrete blockwork with a cement render and a cement fibre sheeting roof. The build is utilitarian but certainly not of a high quality although it is acknowledged that a structural support has been submitted that states *"...the structure is more than capable for habitable conversion."*

It is noted that the planning statement submitted says that the building would *"...not need substantially rebuilding or extended."* It is proposed from the plans that the ridge height would be increased by 0.65m; the majority of the width of the existing building is 4.9m whereas it is wider at 5.5m on the north western end due to some blockwork additions. The proposed plans show that the entire width of the converted building would be 5.5m which means that the majority of the north western walls would be removed and moved out by 0.6m. A nearly 3m wide opening would be made in the north east elevation to insert the largely glazed porch. Two double and two single nearly full length window openings would also be added on this elevation. On the rear (south western) elevation there would be a window either end to service the en-suites, then two sets of patio doors – one for each bedroom; with a large 6.15m opening in the middle for two sets of triple bi-fold glazed doors.

Given there would be a new (and higher) roof, a new wall on the north western elevation, multiple openings for lots of glazing it starts to become a rebuild rather than a conversion given that there would not be much original fabric of the building

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left. There is an appeal decision APP/W3520/W/17/3188380 (Mid Suffolk District Council) for the proposed change of use of an agricultural building to a dwellinghouse and for associated operational development; whilst that proposal is assessing if a proposal is permitted development under Class Q of the GPDO it still remains relevant as the Inspector concludes *“Consequently, very little of the existing building would be utilised and I consider this to go beyond a conversion and would be considered reasonably necessary for the building starting afresh, with only a modest amount of help from the original agricultural building.”*

The building has little visual merit, and it is a disused agricultural building that is of its age and typical in a rural scene and by that virtue sits relatively innocuously with the vegetation growing up around it with ivy going up the walls as it gets subsumed into the landscape. It is not of visual merit but neither is it of visual harm currently and like many rural buildings and by virtue of its limited height, scale and lack of utilities, sits unobtrusively without detriment to the peace, tranquillity and natural beauty of the fields that surround it. It is not a traditional stone built barn in the local vernacular that is characterful and worthy of retaining as making a positive contribution to the landscape or with any historical or architectural merit or neither is it of such harm to the AONB that it merits replacement to restore the AONB. As such the proposal is contrary to policy SUS3 i) given that policy states in its opening line that in order to achieve support, the building has to make a positive contribution to local character but as mentioned, it does not other than being so low profile that it has no effect at all currently.

With regards to SUS3 ii), the supporting text for this policy states that *“The re-use of buildings for open market housing and built tourist accommodation will be supported in and adjoining established settlements with a population of 200+....as these tend to have some local facilities.....Outside these locations an exception may be made where a building adjoins existing serviced residential buildings (such as a farmhouse) and can be tied to the wider holding/main property.”* Shipton Gorge is a settlement with a population of 200+, and the holiday let could be tied to the wider holding.

However, the proposal is some distance from the main part of the village, which itself has few services or facilities other than the New Inn pub. The site is separated from the village by fields, and can be accessed only by narrow, undulating and enclosed country lanes (or footpaths) without lighting. There is no reason to doubt that the area forms part of the wider community of Shipton Gorge, but despite this, the site would generally be distant and far away from other places, buildings and people. It is therefore considered that the site's location would be isolated.

Whilst SUS3 ii) only needs to be applied if SUS3 i) has been met (which it hasn't), for completeness it is laid out below to show that SUS3 ii) will support development if it is for one of the following:

- employment; - **Not applied for,**
- community uses, where the buildings are accessible and immediately proximate to the community served; - **Not applied for and would not meet the criteria,**

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- affordable housing, where the proposal is capable of meeting an identified, current, local need which cannot otherwise be met; - **Not applied for,**
- essential rural workers' dwellings' - **Not applied for,**
- open market housing or built tourist accommodation adjoining a settlement with a defined development boundary, or within or adjoining an established settlement of more than 200 population. In all cases only where the building/s was in existing in 2011; - **Considered to be too isolated to be adjoining an established settlement of more than 200 population,**
- open market housing or built tourist accommodation where the building adjoins an existing serviced residential building, and will be tied to the wider holding/main property where the building/s was in existence in 2011; - **Whilst the building could be tied to the wider holding, it does not adjoin an existing serviced residential building,**
- other tourism uses, where there is a justifiable need for a rural location; - **Not applied for,**
- or, where the building is a designated heritage asset and none of the above are possible, the optimal viable use to secure its long term future. - **Not applicable as not a designated heritage asset.**

The proposal would therefore conflict with Policy SUS3, and the Development Plan, read as a whole. The site is isolated and that the proposal would not enhance the setting of the building.

Whilst it can be considered that paragraph 80 of the NPPF (2023) now supersedes policy SUS3 of the adopted local plan, in relation to the criteria of paragraph 80:

80. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside; - **Not applied for.**

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; - **Not applicable.**

c) the development would re-use redundant or disused buildings and enhance its immediate setting; - **It will re-use a redundant/disused building but not enhance its setting given the low & inconspicuous nature of the existing building and how it will morph ultimately into something more visual with greater impact.**

d) the development would involve the subdivision of an existing residential building; or – **Not applied for.**

e) the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. – **The design is not considered to visually enhance the site but nevertheless the entire 'conversion/rebuild' is not sensitive to the dark skies AONB and visually isolated location within the Landscape.**

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As such, paragraph 80 of the NPPF (2023) is also not complied with, with impact to the AONB discussed further herein.

Policy ECON6 of the West Dorset, Weymouth & Portland Local Plan (2015) supports the principle of built tourist accommodation through the re-use of an existing building. ECON6 i) states that new built tourist accommodation will be supported:

- Within an established settlement of more than 200 population; - **It is not within an established settlement of more than 200 population, but isolated from it**
- Through the re-use of an existing building; - **It would be the re-use of an existing building**
- Through the replacement, intensification or extension of existing premises where the expansion would improve the quality and appearance of the accommodation and site. – **The proposal would not improve the quality and appearance of the accommodation and site.**

ECON6 ii) and iii) do not need to be applied as they relate to larger hotel/guesthouse developments.

The supporting text for ECON6 states *“Permanent built tourist accommodation is likely to be occupied all year round. If allowed in locations away from existing settlements this could lead to a significant level of development in open countryside, weakening patterns of sustainable development. There may be cases where built holiday accommodation may be justified in a more rural location, for example through the conversion of existing buildings.”* But importantly it does also say that *“...provided there is no significant harm and development would be consistent with the other policies of this plan.”* The re-use of an existing building is supported where it would improve the quality and appearance of the accommodation and site. The proposal is not considered to comply with ECON6 with further consideration of impact on AONB further herein.

Policy ECON8 of the West Dorset, Weymouth & Portland Local Plan (2015) supports the principle of diversification of land-based rural businesses through the re-use of existing buildings, but this is *“...provided they are in keeping with the rural character.”* The proposal is considered to fail to comply with this policy as it is not considered to be in keeping with the rural character of the area and will harm the natural beauty of the AONB again discussed further herein. As the scheme is being recommended for refusal, the applicant has not been pursued on details of the farm holding or securing a S106 to tie the new accommodation to the farming enterprise.

As such, there is no established in-principle policy support for this scheme for the reasons stated. Therefore, it fails policies SUS2, SUS3, ECON6 & ECON8 of the West Dorset, Weymouth & Portland Local Plan (2015) and Paragraph 80 of the NPPF (2023).

Scale, design, impact on character and appearance and visual amenity

Given the existing disused building's current utilitarian appearance and relatively poor quality, it provides no meaningful contribution to the visual amenity of its countryside location and the wider AONB and is not worthy of retention. The

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proposed conversion and extensions would create a non-descript building, alien to its surroundings that would not make a positive contribution to local character but would relate better to a cul-de-sac or beachside type development.

A recent appeal decision APP/D1265/W/22/3300903 for the Old Milking Barn at Bettiscombe was dismissed in November 2022. The Inspector notes *“The appeal building is in gently sloping and attractive countryside reflective of its AONB designation. The existing block and render building is single storey, with a mono-pitch roof and a small footprint. It has a utilitarian form that is clearly identifiable as having once been in agricultural use. A utilitarian appearance is not unusual for buildings in the countryside, but its form does not make a positive contribution to the character and appearance of the area.”*

The Inspector continues: *“Moreover, the proposal would have the appearance of a modest wooden holiday chalet. As such, this design would have little relationship with that of its previous agricultural use, and nor would it particularly reflect the design of buildings nearby. As a result, the domestic nature of its chalet form would appear out of place with the rural appearance of the area.”* Whilst the proposal for that scheme was not wholly the same as for this one, it is relevant and comparable because of the existing block and render build style and the resulting absence of a relationship of its previous agricultural use as is the proposal with the piggery building.

Policy ENV12 requires that:

i) Development will achieve a high quality of sustainable and inclusive design. It will only be permitted where it complies with national technical standards and where the siting, alignment, design, scale, mass, and materials used complements and respects the character of the surrounding area or would actively improve legibility or reinforce the sense of place. This means that:

- The general design should be in harmony with the adjoining buildings and the area as a whole;*
- The position of the building on its site should relate positively to adjoining buildings, routes, open areas, rivers, streams and other features that contribute to the character of the area;*
- The quality of the architecture is appropriate to the type of building with particular regard to its architectural elegance, symmetry and rhythm, and richness of detail;*
- Materials are sympathetic to the natural and built surroundings and where practical sourced locally;*
- Any alterations to or extensions of buildings should be well related to, and not overpower, the original building or neighbouring properties, unless they achieve significant visual enhancement to both the building and surrounding area;*

Para.130 of the NPPF (2021 & 2023) requires that developments *“will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;”* The design and appearance of the proposed conversion and extension is such that it will not add to the overall quality of the area over its lifetime as it is not sympathetic to local character and history including the built environment and landscape setting.

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Para.134 of the Framework states that *“development that is not well designed should be refused.”*

A physical curtilage definition will further ‘suburbanise’ the proposal given the inevitable paraphernalia associated with domestic occupation of parked vehicles, washing lines, play equipment, garden furniture etc along with an incongruent gravel driveway to the front which will all have an impact on the appearance and not enhance the character of the open countryside.

The proposals would not contribute positively to the maintenance and enhancement of local identity and distinctiveness, and nor are they informed by the character of the site and its surroundings. The incongruous design and external appearance of the unsympathetic proposals to the simple agricultural character of the building would be unacceptable and would fail to satisfy the high-quality design standards advocated by the National Planning Policy Framework.

Impact on neighbouring amenity

The isolated location means there are no neighbouring properties to impact, so it accords with policy ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015).

Impact on landscape within the Dorset AONB and landscape character area

NPPF paragraph 176 sets out that ‘great weight’ should be given to conserving *and* enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, ‘which have the highest status of protection in relation to these issues’.

The site lies within an area identified as being of high landscape value to which Policy ENV1 of the local plan applies. This requires development not to detract from the area’s special character and to pay particular attention to its landscape qualities. The area is one of enclosed fields, with isolated agricultural buildings, such as the building subject of this application, being characteristic of the rural landscape.

The building is separated physically and visually from the nearest surrounding properties, and as such is relatively inaccessible. The building falls alone within an open, level field. It is a lone building without surrounding contextual development. The landscape here is principally characterised by a patchwork of good-sized fields and undulating hills. As with the piggery building, fields tend to be bounded by hedgerows. Combined with the broadly level topography, that lends the area a characteristic sense of openness and tranquillity. There are often expansive views across fields to distant hills and wooded horizons, notably north eastwards to Eggardon Hill, and east to Shipton Hill. Conversely there are distant views into the site from these prominent areas.

Buildings serving functional requirements of agriculture, are accorded some flexibility in statute. Rural buildings such as this are therefore consistent with landscape character. That is not so true of isolated dwellings. The proposal would result in a more residential appearance to what is presently a barn of essentially functional

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design. In particular the feature of extensive glazing and leaving no real indication of its previous use as an agricultural building.

Domestic use of a building, as opposed to agricultural use, is also highly likely to result in greater illumination. In combination with the design of the proposal, that would draw attention to the proposal and its incongruity in the landscape at certain times.

The remoteness and dark night skies are one of the features of the Powerstock Hills landscape character area. By introducing a residential dwelling in an area of undulating open countryside it is foreseeable that the occupation of the site during hours of darkness will result in a much more conspicuous feature than is presently the case, both from the lighting within the building itself and vehicle headlights across open fields using the access track to get to and from the development.

As such it would perceptibility change the undeveloped character of the countryside, particularly during hours of darkness, when lighting from within the property would introduce a new feature within the presently unlit site, at a good distance from the nearest buildings and developments spilling light. Whilst this could be controlled to some extent by condition for external lighting, once occupied light pollution from the holiday unit could not be eradicated. This was similarly put forward as part of a refusal for the conversion of an agricultural building at Summer Dairy, Catherston Leweston under P/FUL/2022/04456.

At present the piggery building is consistent with a rural aesthetic and in keeping with its rural surroundings. The proposal would result in a very domestic and suburban appearance to the building, which would not be mitigated to an appropriate extent. The fact that the building may largely be well screened does not make this development in the countryside any more acceptable.

The scale of change will also be viewed and perceptible from public right of way W15/23 in terms of the increased scale of the building and associated noise aspects from holiday accommodation (car doors, cars etc. manoeuvring, music, chatter, outdoor activities) in complete contrast to the relative peace of the site currently. At the time of the site visit, the footpath was well trodden and several dogwalkers were passed in that short space of time, so it appears to be a well used public right of way. The tranquillity when accessing this public right of way will be diminished again not preserving or enhancing the natural beauty of the AONB.

Furthermore, the purpose of landscaping is not to conceal a harmful development; this is an argument that can be used too often, leading to cumulative erosion of the landscape quality of the AONB and protected landscapes. The proposals do not conserve or enhance the character and natural beauty of the AONB, and this is regardless of whether it can easily be seen from public rights of way or not. Views both into and out of the AONB landscape are relevant in terms of the visual effect of any development.

The public staying at the holiday let would be viewing the building within the context of the wider AONB landscape. So whether or not it can be seen by the public or

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there is visual harm, does not necessarily mean that it can be regarded as not being harmful to the intrinsic character of the countryside.

The proposal also generates notable conflict with the following Dorset AONB Management Plan policies:

- Policy C1a: “Support development that conserves and enhances the AONB, ensuring sensitive siting and design respects local character. Development that does not conserve and enhance the AONB will only be supported if it is necessary and in the public interest. Major development decisions need to include detailed consideration of relevant exceptional circumstances.”
- Policy C4a: “Remove existing and avoid creating new features which are detrimental to landscape character, tranquillity, and the AONB’s special qualities.”
- Policy C4c: “Protect and where possible enhance the quality of views into, within and out of the AONB.”

The AONB’s Management Plan also provides the following policies that are relevant to the balancing exercise:

- Policy C2d: “The key test of a proposal against the statutory purpose of the AONB will be its ability to demonstrate that the proposed change would conserve and enhance landscape and scenic beauty.”
- Policy C2e: “The conservation and enhancement of the AONB’s special qualities will be a significant consideration in the planning balance.”
- Policy C2f: “Proposals that are harmful to the character and appearance of the area will not be permitted unless there are benefits that clearly outweigh the significant protection afforded to the conservation and enhancement of the AONB. Where impacts cannot be mitigated, planning gain and compensatory measures will be considered.”

Therefore, none of the considerations are sufficient to outweigh the harm that the development would cause to the character and natural beauty of the area of exceptional landscape quality AONB and the proposal nonetheless conflicts with the relevant provisions of policy ENV1 & ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015) and NPPF (2023) paragraph 176.

Impact on flooding of the site & surroundings

The first 100m or so of the access track leading off Bonscombe Lane lies within an area with a susceptibility to groundwater flooding. A consultation with the council’s Flood Risk Management team concluded that this was considered acceptable if used as a holiday let. However, if it were to be used for permanent residential use then this would need to be reconsidered. As such the scheme complies with policy ENV5 of the West Dorset, Weymouth & Portland Local Plan (2015).

Impact on Biodiversity & Ecology

The Natural Environment team has issued a Certificate of Approval for the Biodiversity Mitigation Plan which includes mitigation measures which would have to be carried out. This included the provision of two house sparrow nest boxes and one

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swift brick on the building and the provision of a log wall with planting on top, 6 new trees to be planted and a financial contribution for off-site compensation.

An Appropriate Assessment was undertaken by Dorset Council as Competent Authority in accordance with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6(3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. It was concluded that, discounting any mitigation, the application will have a likely significant effect on Chesil and the Fleet European wildlife sites (including RAMSAR sites). Natural England have provided a series of measures which they consider likely to provide the mitigation necessary to avoid unacceptable impacts upon the Chesil and the Fleet European Site; and the funding to deliver this is taken from Dorset Council's CIL pot.

As such, the scheme complies with policy ENV2 of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 80 of the NPPF (2021 & 2023).

Economic benefits

The proposal would provide short-term economic benefits during the construction. Longer term it would provide limited economic benefits both to the existing farm business and wider local economy including some employment to service the holiday let; and tourists supporting businesses in the local economy.

Whilst the NPPF, NPPG and Local Plan all encourage farm diversification and tourism use, the potential economic benefits of the proposals are limited and do not outweigh the harm that would be caused to the quality and character of the Dorset AONB by allowing the creation of the holiday unit contrary to relevant policies of the Development Plan.

Public Right of Way

Although the applicant and parish council contends that there would be no adverse impact on the character of the local landscape, due to its well contained location within the site curtilage and hedgerow lined setting, the raised roofline of a domestic building as proposed would not make a positive contribution to the character of the countryside and as such would detract from the quality of views from the public right of way that passes in the field to the south of the site.

As already mentioned, it is considered that the tranquillity perceived by users of the public right of way currently will be diminished by this scheme given the increased visual scale of the building, the changes to noise and use of the site and the impact from lights and noise further into evenings.

Therefore, whilst the public right of way is not physically altered or impacted, users of the public right of way and its clear rural tranquillity at this stretch of W15/23 is impacted considerably.

Access and Parking

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Access to the proposed holiday let will be achieved by way of the new farm track permitted by way of the prior approval notification WD/D20/002856 for the purposes of accessing the new agricultural storage building for farm equipment and apples under the same notification (both yet to be constructed).

The site can accommodate adequate access and car parking and there are no highway objections, subject to a condition for turning/manoeuvring and parking construction.

17.0 Conclusion

Local Plan policies and paragraph 80 of the NPPF (2021 & 2023) provide generic support for the re-use of rural buildings. However, this is subject to various provisions which the proposal does not meet. A careful balance has to be struck in only allowing development within unsustainable areas if it meets the criteria for being of benefit which in this case, it does not.

Due to the sensitivity of the site and its unsuitability as a location for a dwelling the proposals do not accord with local plan policies and the Dorset AONB Management which seek to conserve or enhance the Dorset AONB, the protection of which is afforded great weight in Section 15 of the NPPF.

Whilst the proposal would provide limited economic benefits to the wider farm holding and the local economy these do not outweigh the harm that it would cause to the quality and character of the AONB.

As the agent has pointed out in correspondence in the course of the application, *“Local planning authorities should approach decisions on proposed development in a positive and creative way....Decision makers at every level should seek to approve applications for sustainable development where possible.”* However, as it currently exists the building is of poor quality but it does not look out of place in its setting and in the planning balance, the limited benefits that the new holiday unit would provide to the wider farm holding and the local economy are not considered to outweigh the harm to the quality and character of the AONB.

18.0 Recommendation

REFUSE for the following reason(s):

The existing building proposed to be converted is visually poor and likely to continue to fall into disrepair; however, its impact is currently mitigated by its understated utilitarian design with no windows, limited scale/low height and degree of blending in with the soft landscape that screens some of it (and would screen should it degrade further). It is considered that the existing building is not worthy of retention and whilst there are doubts that this is realistically a conversion and not more like a new build, the proposed conversion scheme would also be out of keeping in its isolated rural setting. The general design is not in harmony with the tranquil rural area as a whole and the quality of the architecture is not appropriate to the building as it will not retain any legibility of its previous use as an agricultural building but will instead introduce an incongruous standard suburban element to the open countryside by virtue of its basic design/bungalow appearance more appropriate to a cul-de-sac or

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beachside location and extent of glazing. The overall effect and design of the proposed development would detract from and cause harm to the character, special qualities and natural beauty of the Powerstock Hills landscape character area within the Dorset Area of Outstanding Natural Beauty.

Furthermore, there will be additional harm to both the AONB & peaceful amenity to users of the adjacent public right of way from both the visual physical changes to the building (increased height, spread of light within dark skies AONB) but also the new use of the site (car doors, music, manoeuvring, voices etc.). There will also be an increase in cars/deliveries etc. crossing open fields (and at night with headlights) to get to the visually isolated building which also spreads the degree of harm in allowing this barn to become a dwelling in relation to AONB impact and dark skies.

As such, the proposed conversion of the agricultural building is considered to cause intrinsic and unjustified landscape and visual harm to the character of the Powerstock Hills landscape character area and the Dorset Area of Outstanding Natural Beauty, resulting in the introduction of inappropriate development within a sensitive location as well as an erosion of the sense of tranquillity and remoteness contrary to amenity within the AONB policies ENV1 & ENV10 of the West Dorset Weymouth & Portland Local Plan (2015) and Para 176 of the NPPF (2021 & 2023) which states that great weight should be given to conserving and enhancing the landscape and scenic beauty in Areas of Outstanding Natural Beauty.

The special circumstances listed in para.80 of the NPPF required to justify the proposed development do not exist to outweigh the harm which does not conserve and enhance the AONB which is contrary to policies SUS2, SUS3, ENV1, ENV10, ENV12, ECON6 & ECON8 of the West Dorset, Weymouth and Portland Local Plan (2015); Sections 5, 6, 12 & 15 (in particular paras.80, 84, 130 & 176-178) of the National Planning Policy Framework (2021& 2023); and policies C1a, C2d, C2e, C2f, C4a & C4c of the Dorset AONB Management Plan 2019-2024.



South western elevation – as existing

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South eastern elevation – as existing



North eastern elevation – as existing



North western elevation – as existing