

Application Number:	P/FUL/2023/00350		
Webpage:	Planning application: P/FUL/2023/00350 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	124 Ringwood Road Longham BH22 9AW		
Proposal:	Change of use from existing Car Showroom building (sui generis) to Bakery (use class E), with external alterations including addition of air conditioning/extraction		
Applicant name:	Greggs PLC		
Case Officer:	Ellie Lee		
Ward Member(s):	Cllr Adkins and Cllr Robinson		
Publicity expiry date:	12 July 2023	Officer site visit date:	30 January 2023
Decision due date:	27 October 2023	Ext(s) of time:	27 October 2023
No of Site Notices:	3 Site Notices within Ringwood Road		
SN displayed reasoning:	The additional Site Notices were displayed near to premises adjacent to the application site.		

- 1.0 This planning application has been referred to committee by the Service Manager for Development Management and Enforcement.
- 2.0 **Summary of recommendation:**
GRANT subject to conditions set out in section 17.
- 3.0 **Reason for the recommendation:** as set out in paragraphs 16 and 17 at the end of this report.
- 3.1 Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.
- 3.2 Paragraph 11 of the National Planning Policy Framework (NPPF) 2023 sets out that permission should be granted for proposed development that accords with an up –to-date development plan without delay

- 3.3 The location is considered to be sustainable, and the proposal is acceptable in its design and general visual impact. As such, it would accord with local policy KS2.
- 3.4 The application site is located in a Village Infilling area within the South East Dorset Green Belt. Within village infill areas saved policies GB7 and GBV2 from the East Dorset Local plan 2002 apply. These policies allow for some development to take place subject to certain criteria.
- 3.5 The planning application is in accordance with local planning policy PC5 (Shops and Community Facilities in Local Centres and Villages). The proposal will bring a new business to the village associated with meeting people's day to day needs and leisure choices.
- 3.6 The proposal's scale, design, visual impact, impact on character and appearance would be acceptable and the application would therefore accord with local policy HE2 and section 12 of the National Planning Policy Framework.
- 3.7 The proposal would not result in significant harm to neighbouring amenity and would accord with local policy HE2 and section 12 of the National Planning Policy Framework, subject to conditions.
- 3.8 The proposal would not result in significant harm in terms of highways and parking impacts and would accord with local policies KS11 and KS12, subject to conditions.
- 3.9 As the parts of the proposal that require Advertisement Consent are not part of the application under consideration, there is no anticipated harm to heritage assets from the proposed development, so the proposal accords with local policy HE1 and section 16 of the National Planning Policy Framework.
- 3.10 The proposal is not anticipated to result in harm to biodiversity, so accords with local policy ME1 and the Dorset Biodiversity Appraisal Protocol.
- 3.11 The proposal is acceptable with regards to potential contamination on the land, subject to an 'unexpected contaminated land' condition.
- 3.12 The submitted Flood Risk Assessment is acceptable and the proposal accords with local planning policy ME6.
- 3.13 There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of Development (Settlement Hierarchy)	The application accords with local policy KS2 and village infill area saved policies GB7 and GBV2 (of the East Dorset Local Plan).

Principle of Development (Shops and Community Facilities in Villages)	The application accords with local planning policy PC5.
Design and Character of the Area	The proposed external appearance will not be harmful to visual amenity or the street scene so accords with local policy HE2, in terms of design and character.
Impact on Neighbouring Amenity	Subject to conditions, the proposal accords with local policy HE2 in terms of neighbouring amenity.
Highways and Parking	Subject to conditions, the proposal accords with local policies KS11 and KS12.
Heritage Assets	There is no anticipated harm to heritage assets from the proposed development, so the proposal accords with local policy HE1.
Impact upon Biodiversity	There is no anticipated harm to biodiversity from the proposal, so the application accords with local policy ME1 and with the Dorset Biodiversity Appraisal Protocol.
Contaminated Land	Subject to an 'unexpected contaminated land' condition, the proposal is acceptable.
Flood Risk	An acceptable Flood Risk Assessment has been submitted including a flood event action plan, so the proposal accords with local policy ME6.

5.0 Description of Site

- 5.1 The application site is 124 Ringwood Road on the A348 road, located within the village of Longham, adjacent to an existing car sales business (to its north) and a care home (to its south). The site lies within the Longham Village Infilling policy area.
- 5.2 Existing nearby and adjacent buildings within the village include a car sales business, a care home, a public house, a garden centre, a greenhouse building supplier, an arts & crafts retailer and a mobility scooter shop.
- 5.3 The existing single storey building on the application site has most recently been used as a car showroom (suis generis) as part of the car sales business to the north of the application site.
- 5.4 The footprint of the existing building is already established along with car parking to front and side of the application building. The remainder of the site comprises of hardstanding and some landscaping.
- 5.5 There are no residential neighbours directly opposite the front of the site or to the rear of the application site.

- 5.6 To the east of the site, approximately 5m beyond the rear eastern site boundary is an unnamed watercourse which has been identified as flowing in a southerly direction. The site is in an elevated position above this watercourse.
- 5.7 Located approximately 50 metres from the northern elevation of the application site building are the Grade II Listed pair of cottages in the former Post Office. Opposite the former Post Office is the White Hart Inn which is also Grade II Listed and is approximately 82 metres to the north-west of the application site building. Grade II Listed Longham Bridge is approximately 950 metres to the south of the site, and the scheduled monument at Dudsbury camp is located approximately 955m to the site's south-east.

6.0 Description of Development

- 6.1 The application seeks permission for a change of use from **use class sui generis** (car showroom) - to a proposed bakery (planning **use class E** 'Commercial, Business and Service'). As internal and external seating areas for customers are shown on the drawings the use would fall within the sub-category of planning use class E (b) of the Town and Country Planning (Use Classes) Order 1987 (as amended), '*Sale of food and drink for consumption (mostly) on the premises*'. The application also proposes external alterations to the existing building including the additional of air conditioning/extraction.
- 6.2 Parking provision is proposed to the front and side of the application building, along with cycle stands, which will utilise the majority of the area currently used for parking provision.
- 6.3 The proposed building would be accessed by customers from the front western elevation. External seating is proposed to the front of the building, with screening demarcating this area.

7.0 Relevant Planning History

Application No.	Description	Decision	Date
3/18/3420/FUL	Erect covered area to be used in connection with the existing car sales use	Granted	19/03/2019
03/04/1694/ADV	Company name on front gable	Granted	10/02/2005
03/04/0994/ADV	To erect 2 no 5m high flagpoles with flags as amended by plans received 17.9.2004	Granted	21/09/2004
03/03/1050/FUL	Change of use from car parking to car sales & two storey extension to form	Granted	31/10/2003

	workshop & living acc. As amended by plans received 13/10/03		
03/97/0755/FUL	Change of use from mixed use for petrol sales and car sales to sole use for car sales.	Granted	19/11/1997
03/90/0177/FUL	Alterations, extension, new canopy, tanks, pump islands and retention of workshop (as amended plans rec,1 Nov 90)	Granted	13/11/1990
03/77/1363/HST	Erect illuminated advertisement sign	Refused	19/10/1977
03/75/1115/HST	Use forecourt for used car sales (limit 10)	Granted	01/03/1975

8.0 List of Constraints

- Within Settlement Boundary; Longham
- Within Longham Village Infilling Area Policy: (GBV1 (saved policy), GBV2 (saved policy) and policy LN2)
- Right of Way: Bridleway E42/37; - Distance: 32.13m from site
- Bournemouth Water Consultation Area
- Risk of Surface Water Flooding Extent 1 in 100 and 1 in 1000
- 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.
- Groundwater Source Protection Zone

9.0 Consultations

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

Consultees

1. Natural England

No comments received

2. Dorset Council - Highways – (received 27/02/2023)

The Highway Authority has NO OBJECTION, subject to a condition to secure the turning/manoeuvring and parking construction.

3. Dorset Council - Planning Policy (received 22/03/2023)

- Questions raised about the relevant use class and other similar businesses in the area.

4. Dorset Council - Environmental Services - Protection

DC Environmental Health Response (02/03/2023):

- Contaminated Land- unexpected contamination condition required
- Noise- applicants needs to demonstrate that 5am to 11pm opening hours will not have an adverse effect on nearby receptors. Noise assessment required.
- Odour- extraction system details condition required.
- Construction Management- condition recommended

DC Environmental Health Response (23/06/2023):

Additional clarification sought in respect of noise assessment.

DC Environmental Health Response (29/06/2023):

“Noise Impact Assessment, 124 Ringwood Road, Longham, Report VA4718.230523.NIA, dated 24th May 2023, by Venta Acoustics” judged to use appropriate standards and guidelines to look at the noise impact of plant, deliveries and vehicle movements. Conditions recommended to secure:

1. the installation of 12kg/m² barrier fence and extraction attenuation
2. Deliveries and waste collections are restricted to daytime hours 07:00 – 21:00.
3. Use of outdoor seating area to be restricted to daytime hours e.g. 07:00 – 21:00- this is needed because there aren't any existing recognised standards for specifically assessing noise from people. It is difficult to use appropriate source data in such cases due to different voices, speech and behaviour etc. so management of such areas and appropriate operating times are often more important.

5. DC – Conservation Officer (received 18/09/2023)

The proposed conversion will not alter the dimensions of the existing modern building. Cosmetic changes are proposed to materials and openings which are minor in scope and will not affect the setting of the listed building.

The new external seating and umbrellas add additional clutter to the street scene and will impact upon the views of the listed building along Ringwood Road. However, given the distance to the listed building and retention of the car showroom the new seating area will not harm the setting of the listed building. The seating area will also be set back which will limit the impact along the street. Given the distance and no changes to the rear of the site, there is no harm to the setting of the Scheduled Monument.

The new totem sign along the frontage of the site however will impact on the setting of the listed building. It is noted that flagpoles are present along the frontage of the car showroom, next to the listed building. The existing flagpoles do interfere and detract from views of the gable end of the listed building. Additional totem signage will add to this clutter. The level of illumination will also ensure the new totem sign will be more visible than the

existing flagpoles. The design, size and placement of the new totem sign will cause less than substantial harm to the setting of the listed building and should be reconsidered. No public benefit has been submitted to outweigh that harm.

Conclusion:

Due regard and consideration given to statutory and local and national policy considerations and on balance the works to convert the building and forecourt to bakery use can be supported, provided the totem sign is omitted.

6. Ferndown Town Council (received 22/02/2023)

Objection

The situation of this proposal is of detriment to the historical environment of Longham and is contrary to HE1.

The proposed unsocial opening times will increase general disturbance to neighbouring properties, including a neighbouring dementia care home.

The A348 is already a busy and often congested road and will be exacerbated by additional traffic accessing and egressing the site, all contrary to HE2, Green Belt.

7. Ward Member – Councillor Julie Robinson (received 07/03/2023)

I strongly object to this application.

It is totally out of character with the historic village setting and also detracts from its heritage assets.

8. Ward Member – Councillor Rod Adkins

No comments received.

Representations received

Three Site Notices were displayed within Ringwood Road, one to the front of the application site, and two were displayed near to the adjacent car sales business and also near to the adjacent care home.

Total - Objections	Total - No Objections	Total - Comments
48	0	1

Summary of third party representations	
Principle of Development (KS1, KS2, KS7, GB7, GBV2)	<ul style="list-style-type: none">• Contrary to local planning policies KS1, KS2, KS3, KS7 & NPPF policies relating to presumption in favour of sustainable development & Green Belt and NPPF para 88.• Inappropriate location for proposal within village.• Change of use which will not meet needs of local residents.

	<ul style="list-style-type: none"> • No similar establishments in the local village. Already 11 of same establishment within 5 miles. • Longham is a Green Belt village with semi-rural/equine identity.
Principle of Development (PC5)	<ul style="list-style-type: none"> • Change of use does not benefit local residents. • Any size of proposed business would not be a service for the community. Proposal is a fast food outlet/takeaway and not a convenience store. • No similar establishments within village. • Proposal is essentially a fast food business. • Lack of need for the proposed development (local or from users of the A348).
Character of the Area and Design	<ul style="list-style-type: none"> • Contrary to local planning policies HE1 and HE2. • Overbearing, incongruous with surroundings, modern design, out of keeping & incompatible relationship with character with surroundings/village form, adverse effect on visual amenity of area, would not enhance area. • Totem poles & building would harm the nearby listed buildings, heritage assets, Lady Wimborne cottages and Post Office cottages. • Appearance of a service station rather than bakery. • Totem pole advertisements too bright/illuminated. • Harm to bridge built in 1728 & Iron Age hill fort.
Neighbouring Amenity	<ul style="list-style-type: none"> • Greater impact upon neighbouring amenity than other uses, including from noise disturbance (from people & vehicles), odours, general enjoyment, light pollution, litter, health & well-being. • Significant amenity impact on the amenity of residents living in the adjoining Dementia Care Home • Seating outside - increase noise disturbance & anti-social behaviour. • Opening hours are anti-social (5am – 11pm). Opening hours should be 7am-10pm Monday-Saturday, 9am-6pm on Sundays. • Harmful impact to residents of adjacent Care Home, which specialises in dementia. Northern elevation of adjacent care home directly faces application site & along southern boundary. Close proximity to care home building. Harmful impact to residents of 9 no. care home bedrooms from use and vehicle access.

	<ul style="list-style-type: none"> • Concern that the Environmental Health Officer's condition only includes additional paragraphs to 6.2 & 6.5 of the submitted Noise Report. • Screening proposed in drawings is vague. • Limited landscaping means no noise buffer. • Concern over ambient noise from air-conditioning units. • Concern of litter management & increased vermin.
Trees & Landscaping	<ul style="list-style-type: none"> • Limited landscaping proposed.
Highways	<ul style="list-style-type: none"> • Contrary to policies within section 9 of NPPF and local planning policy KS11. • Inadequate parking on site. • No vehicle tracking information provided. • Increase to traffic, congestion, obstructions, pollution & hazards. Danger to pedestrians, cyclists & mobility scooter users. • Concern that vehicles including lorries and vans will park on nearby grass verges, pavements, cycle paths, bridleways. Deliveries will result in disruption. Road already has regular road works, temporary traffic lights and traffic. • Concern that emergency vehicles will not be able to use Ringwood Road effectively during congestion/traffic. • The road is not a motorway. By-pass is needed in area so that lorries avoid this road. Concern site would become a 'pitstop.' Will attract more vehicles than previous use. • Other adequate existing roadside services along A348. • Reference to South East Dorset Multi Model Transport Study (2012) and Bournemouth, Poole and Dorset Local Transport Plan (2011). • General highway impacts arising from the development.
Biodiversity	<ul style="list-style-type: none"> • Harmful impact to wildlife/biodiversity (inc. otters) • Light pollution harmful to biodiversity. • Near to Longham Lakes which is frequented by bats.
Flood Risk	<ul style="list-style-type: none"> • Insufficient sequential testing
Other Matters	<ul style="list-style-type: none"> • Additional litter from proposed business. • Request that the speed limit is reduced to 30mph. • Will reduce property prices.

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.

The Planning (Listed Buildings and Conservation Areas) Act 1990 - section 16 requires that in considering whether to grant listed building consent, special regard is to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

11.0 Relevant Policies

Development Plan

Adopted Christchurch and East Dorset Local Plan:

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

- KS1 - Presumption in favour of sustainable development
- KS2- Settlement hierarchy
- KS7- Role of Town and District Centres
- KS11 - Transport and Development
- KS12- Parking Provision
- PC5- Shops and Community Facilities in Local Centres and Villages
- HE2 - Design of new development
- ME6- Flood Management, Mitigation and Defence

East Dorset Local Plan 2002 – Saved policies

- GB7 – Infill development will be allowed within Village Envelopes, subject to criteria
- GBV2 – Within Village Infill Policy Envelopes development must be in character with the settlement

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.

Material Considerations

National Planning Practice Framework (NPPF)

Paragraph 11 (Section 2): Presumption in favour of sustainable development

Paragraph 38 (Section 4): 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.

Paragraph 47 (Section 4): Determining applications in accordance with the development plan unless material considerations indicate otherwise.

Paragraphs 84 and 85 (Section 6): '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.

Paragraph 119 (Section 11): Planning decision should promote an effective use of land in meeting the need for homes and other uses...'

Paragraphs 126 – 136 (Section 12) 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.

Paragraph 159 (Section 14): Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the

development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 202 (Section 16): Where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.

Other material considerations

- National Planning Practice Guidance
- Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document
- Dorset Non Residential Parking Guidance

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.

The proposed change of use of the existing single storey building is on a relatively level site and accessed via existing hard surfacing. The proximity of the site to a care home has been taken into consideration; care home residents may be disadvantaged where they have fewer options for responding to noise. The impacts and appropriate mitigation are considered below.

14.0 Financial benefits

The submitted Planning Statement sets out that the proposal will create approximately 9 new jobs on the site.

What	Amount/Value
Material Considerations	
New Jobs	5 full time equivalent
Non Material Considerations	
Business Rates	TBC

15.0 Planning Assessment

Principle of Development (Presumption in Favour of Sustainable Development and Settlement Hierarchy):

- 15.1 The application site falls within Longham which is identified in local planning policy KS2 as a village settlement type. Local policy KS2 allows only very limited development that supports the role of the settlement as a provider of services to its home community.
- 15.2 Third party objections raised concerns that the proposal is contrary to local planning policies KS1 and KS2 and policies within the NPPF, that the proposal is inappropriate in this location, that the change of use will not meet the needs of local residents and that the proposed development is not needed. Further objections received noted that there are no similar establishments in the local village, but that there are already 11 of the same establishment within 5 miles of the site.
- 15.3 Whilst it is acknowledged that occupants of passing vehicles may stop at the site to purchase goods, and that similar services may be available within 5 miles, the proposed change of use of the building within the village to a business providing hot food would make effective use of an existing building on this land and would provide a convenience service to the local and wider community.
- 15.4 Therefore, the proposal accords with local planning policy KS2 in principle.

Principle of Development (Village Infilling Area):

- 15.5 The site is within the Green Belt but falls within the Village Infilling Policy Area of Longham where saved local planning policies GB7 and GBV2 are relevant.
- Saved planning policy GB7 sets out that infill development will be allowed and that such development should be contained wholly within the Village Infill Envelopes, and should be of a scale and character that respects the existing village form.
 - Saved planning policy GBV2 requires that: 'Within the Village Policy Envelopes, proposed development must maintain or improve the character and form of the settlement.'

- 15.6 Ferndown Town Council have objected that the proposals are contrary to Green Belt policies.
- 15.7 The application site is located wholly within a Village Infilling Area, where saved policy GB7 allows infill development. This policy does not conflict with the more recent NPPF Green Belt policy at section 13 which also identifies that limited infilling in villages is not inappropriate and that a material change of use of both buildings and land is not inappropriate where it preserves openness and does not conflict with the purposes of including land within the Green Belt.
- 15.8 As the proposal will utilise an existing building (with the addition of air conditioning units to the rear) so will not represent encroachment into the countryside, the main consideration is whether the change of use would result in harm to openness. Given that the existing lawful use is as a car showroom and the land has been used for the display of vehicles, the proposed introduction of car parking spaces and outdoor seating would not result in harm to openness. Therefore, the proposal accords with saved local planning policies GB7 and GBV2.

Principle of Development (Shops and Community Facilities in Villages):

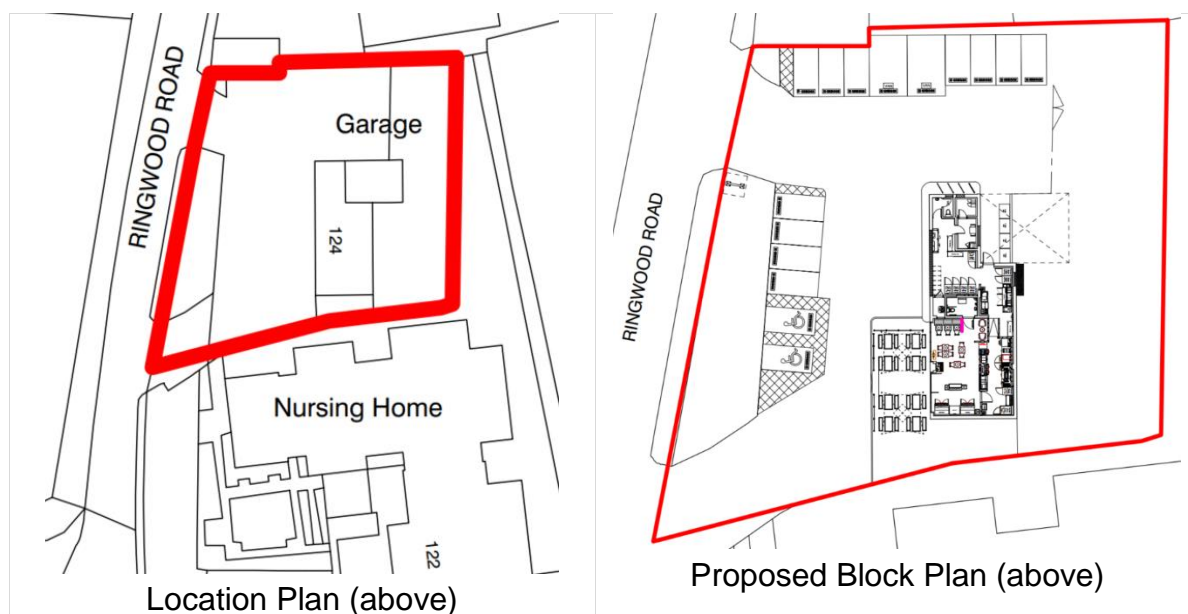
- 15.9 Local planning policy PC5 (Shops and Community Facilities in Local Centres and Villages) is relevant to the application under consideration, as the proposal is a shop selling food and drinks to customers.
- 15.10 Third party objections raised concerns that the proposal is not required and that the proposal is contrary to local policy KS7- Role of Town and District Centres which identifies Town and District Centres as focal points for commercial, leisure and community activity. The policy, which accords with paragraph 88 within section 7 of the NPPF requires a sequential assessment where main town centre uses are proposed outside an existing centre. NPPF paragraph 88 states:
88. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
- 15.11 Paragraph 88 of the NPPF relates to securing the vitality of town centres. The application site is not an edge of centre or out of centre proposal. Rather it is located within a village, so local planning policy KS7 is not relevant to this application; a sequential test is not required in this case.
- 15.12 Notwithstanding this assessment, the submitted Supporting Statement accompanying the application notes that *“The Sequential Assessment has been undertaken and there are no sequentially preferable sites nor is it considered that any impact arises from the scheme.”*
- 15.13 NPPF paragraph 187 is relevant to the application which states the following:
187. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where

the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

- 15.14 The previous use of the building on the application site was in connection with the car sales business to the north of the site. It is considered that the proposed development which would utilise an existing building and hard surfaced site – would be appropriate in this 'village infill' location and could be effectively integrated with the existing businesses adjacent and nearby which include:
- Used Car Business (to the north/side of the application site)
 - Care Home (to the south/side of the application site)
 - Public House (on the opposite side of Ringwood Road to the north-west)
 - Haskins Garden Centre (on opposite side of Ringwood Road to the north-west)
 - Greenhouse Building Supplier to the west of the Garden Centre)
 - Arts and Crafts Retailer (to the north-west of the Garden Centre)
 - Mobility Scooter Shop (to the north along Ringwood Road near to roundabout)
- 15.15 The proposal will bring a new business to the village that is associated with meeting people's day to day needs and with leisure, so is supported in principle by local policy PC5 of the adopted Local Plan.

Design and Character of the Area:

- 15.16 The proposal falls within the village of Longham, within a Village Infilling Area, and the proposal utilises the footprint of the existing building. The external area to the front (west) of the building is proposed to be used as an external seating area – separated from the highway by fencing.
- 15.17 Ferndown Town Council object to the proposals, consider that the proposal is of detriment to the historical environment of Longham and also consider that the proposal is contrary to local planning policy HE2.
- 15.18 Third party objections raised concerns that the proposal is overbearing, incongruous with its surroundings, of a modern design, out of keeping, would have an incompatible relationship with the character of the area & village form, would have an adverse effect on the visual amenity, would not enhance the area, and that the development would have an appearance of a service station rather than a bakery.
- 15.19 The area's character is influenced by the current land uses which include a car showroom business (to the site's north side), a care home (to the site's south), some residential properties nearby within Ringwood Road and open fields beyond. The site is also within walking distance of Haskins, a large garden centre business. Within this context and taking account of the lawful use of the existing building, the proposal would not be demonstrably harmful within the street scene.



- 15.20 Details of the proposed barriers between the external seating and the car park have been provided in the form of indicative photographs, but details including dimensions have not been submitted. These further details could be secured by condition (which would include with any other boundary treatment).
- 15.21 The car park to the front and side of the existing building is proposed to be retained as a car park, for use by employees, visitors and deliveries. Highways and parking are addressed in the 'Highways and Parking' section within this Officer Report.
- 15.22 The general appearance of the proposal is similar to existing, with the exception of windows & doors, which would be in keeping with the character of the area and would not have a harmful impact upon visual amenity or the street scene, so are judged to be acceptable. The materials are proposed to match the existing, with the exception of the advertisement to the front elevation. The matter of advertisements is addressed in the 'Other Matters' section within this Officer Report.
- 15.23 Therefore, with regards to design and character, the proposal accords with local policy HE2 of the adopted Local Plan and policies within section 12 of the NPPF, subject to conditions.

Impact upon Neighbouring Amenity:

- 15.24 Ferndown Town Council has commented that the proposal has unsocial opening times which would increase general disturbance to neighbouring properties including residents of the neighbouring dementia care home.
- 15.25 Third party objections have also raised concerns that the proposal with opening hours of 5am - 11pm would have a greater impact upon neighbouring amenity than other uses, including from: noise disturbance (from people & vehicles), odours, general enjoyment, light pollution, litter, health & well-being. Concerns have been raised that the external seating could increase antisocial behaviour, that there would be a significantly harmful impact to residents of the adjacent care home in particular to the care home's northern elevation, the limited landscaping proposed means that there is no noise buffer, that ambient noise from the air conditioning units may disturb neighbours, that there may not be appropriate management of

litter & vermin and that the limited landscaping proposed would not provide a noise buffer.

- 15.26 In addition to the submitted plans, a specification (GREGGS HVAC Specification – Issue 1) for the extraction equipment has been submitted in support of the application.
- 15.27 Dorset Council's Environmental Protection team have required that the applicant should demonstrate that noise from operation (including from the plant) during early morning and night-time hours would not have an adverse effect on the occupants of neighbouring properties via the submission of a Noise Assessment (in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound).
- 15.28 A Noise Impact Assessment was received on 13 June 2023, which was later supported by a Noise Locations Markup drawing that identified the noise screen barrier from the plant noise. This drawing also set out where the assessment identified noise receivers on the northern elevation of the adjacent Care Home. Within the Noise Impact Assessment, the consultant used appropriate standards and guidance to assess the noise impact from the plant, deliveries and vehicle movements on neighbouring residents.
- 15.29 Whilst it is acknowledged that there are not any existing recognised standards that specifically assess noise from people, it is concluded that any noise impacts could be limited to acceptable levels by restricting the hours of use of the application site and the application site building.
- 15.30 With regards to potential odours from the proposed development, Dorset Council's Environmental Protection team have advised that a condition should be imposed to require details of the kitchen extract system to be submitted and agreed, prior to installation. The team have also advised that a Construction Management/Method condition is imposed should the application be granted permission.
- 15.31 Whilst it is acknowledged that a third party objection raises concerns that the Environment Health Officer's suggested condition only refers to some of the paragraphs in the submitted Noise Assessment, these specific paragraphs have been identified as reasonable and necessary to secure an appropriate scheme. It is also noted that the same objection raises concerns that the proposed screening (within the Noise Assessment) is too vague.
- 15.32 It is considered that including the whole Noise Assessment Report within the condition (number 7) would not be necessary and a details of boundary treatments can also be secured by condition, prior to the first use of the building by the new business (condition no. 9).
- 15.33 It is judged that impacts on neighbouring amenity can be kept to acceptable levels via conditions. It would be reasonable and necessary in accordance with paragraph 57 of the NPPF to impose a condition requiring an Odour Assessment to be submitted (no. 8), and a pre-commencement condition requiring a Construction Method Statement & Management Plan would also be imposed (no. 4). This plan would need to demonstrate and ensure that harmful impacts upon neighbouring amenity (in terms of noise, air pollution and general amenity) are avoided.
- 15.34 The opening hours proposed on the submitted Application Form are 5am - 11pm every day. Due to neighbouring receptors, in the light of the noise assessment the

Council's Environmental Protection team have advised that conditions should be imposed to restrict the opening hours, delivery hours, waste collection hours and the hours of use of the external seating area. Their suggestion is 7am to 9pm for deliveries, waste collection and use of the outdoor seating area.

- 15.35 Officers consider that these hours would still result in harmful impacts upon the existing residents of the adjacent care home, in particular residents of the bedrooms located closest to the application site's southern boundary. The care home is also a business and the NPPF requires that planning decisions should ensure that new development can be integrated effectively with existing businesses and that existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established (para 187). Due to the likely harm arising to the amenity of residents of the care home if the proposed business operated late at night when ambient noise levels are lower, it is judged necessary that opening hours are restricted further, to limit disturbance both from noise and smells.
- 15.36 The table below sets out the hours that are judged to be appropriate, taking account of the proximity of care home bedrooms (conditions 10-12):

	Imposed restrictions:
Opening Hours:	06:00 – 20:00
Deliveries and Waste Collection:	07:00 – 21:00
Outdoor seating area - hours	08:00 – 20:00

- 15.37 Whilst there may still be some impact upon neighbouring amenity to occupants of the adjacent care home from the proposed use of the site it is judged that the proposed conditions would provide sufficient control that the harm arising would not be demonstrably greater than the existing lawful use of the site for car sales. Operating in accordance with the timings set out above, the proposal will be compatible with its surroundings in terms of impacts upon neighbouring amenity as required by policy HE2 and accords with policies of the NPPF (section 12).

Highways and Parking:

- 15.38 Ferndown Town Council object to the proposals and are of the view that the A348 is already a busy and often congested road, which will be exacerbated by additional traffic accessing and egressing the site.
- 15.39 Third party objections raised concerns that the proposal is contrary to local planning policy KS11, that there is inadequate parking on site, and that no vehicle tracking information has been provided. Concerns were also raised that there would be an increase in traffic, congestion, obstructions, pollution, hazards (to pedestrians, cyclists, mobility scooter users and other vehicles uses), that vehicles may park on grass verges/bridleway/cycle path, that deliveries will result in further disruption, and that emergency vehicles may not be able to travel along Ringwood Road due to congestion. Further objections were raised that there are already adequate existing roadside services along the A348, a by-pass is needed in the area, and references were made to the South-East Dorset Multi Model Transport Study (2012) & Bournemouth, Poole and Dorset Local Transport Plan (2011).

- 15.40 The Council's external consultation protocol does not require National Highways to be consulted, as this area of Ringwood Road is not listed as one of the relevant trunk roads for consultation. Furthermore, the proposal will utilise existing accesses to Ringwood Road that have been associated with car sales involving vehicle movements.
- 15.41 The planning application proposes 15 parking spaces (including 2 van spaces and 2 disabled parking spaces). The proposal also includes 4 no. bicycle stands to the north of the side northern elevation of the building, thereby providing cycle storage provision on site.
- 15.42 The Council's Non-Residential Parking Guidance recommends the following provision for a business selling food (where the building footprint is less than 500m²):
- 1 parking space per 20m² (153 / 200 = 7.65 spaces)
 - Plus 1 parking space per 100m² for employees (153 / 100 = 1.53 spaces)
 - 1 cycle parking space per 250m²
- 15.43 The footprint of the building on the site 153sqm, so the Parking Guidance advises that 9 parking spaces and 1 cycle parking space should be provided on the application site. As such, the proposal provides greater parking provision that recommended by the guidance.
- 15.44 The Council's Highways Officer has no objection to the planning application, subject to the imposition of a turning/manoeuvring and parking construction condition.
- 15.45 The proposal accords with local planning policies KS11 (Transport and Development) and KS12 (Parking Provision) of the adopted Local Plan, subject to conditions.

Heritage Assets:

- 15.46 Ferndown Town Council has stated that the proposal will be of detriment to the historical environment of Longham contrary to local planning policy HE1.
- 15.47 It is noted that the northern elevation of the application building is approximately 50 metres from a Grade II Listed Building at 12 Ringwood Road (Post Office). On the opposite side of the road to 12 Ringwood Road, another Grade II Listed Building (White Hart Inn) is located approximately 82 metres to the north-west of the application site building.
- 15.48 A third party objection also raised concerns that the proposal would negatively impact the iron age hill fort and also the bridge, both within Longham. Dudsbury camp is a scheduled monument summarised in the Historic England listing as: a 'Small multivallate hillfort called Dudsbury' and Longham Bridge is a Grade II Listed Building. The hillfort is located approximately 955 metres from the application site (to its south-east) and Longham Bridge is located approximately 950 metres from the site (to its south).

- 15.49 The Council's Conservation Officer was consulted on the application and has raised concerns over the proposed totem signage to the site as such advertisement may cause less than substantial harm to the setting of the nearby listed building. However, as the totem signage would require a separate Advertisement Application to be submitted for consideration (which would be separate to this Planning Application), the proposal within this planning application would not result in harm to the nearby listed buildings or any other heritage assets.
- 15.50 In addition to the above, the Council's Conservation Officer noted that the proposed external seating and umbrellas would add additional clutter to the street scene and will have some impact upon the views of the listed building to the north along Ringwood Road. However, the distance between the application site building and the listed building is sufficient to avoid harm and details of the external seating area (which will be set back from the road) can be secured by condition (no. 9).
- 15.51 Furthermore, it is judged that there would be no harm to the setting of the Scheduled Monument from the proposals.
- 15.52 As the site is considered to be sufficiently distant to these heritage assets, is not within a Conservation Area, and as there is no significant change to the external appearance of the existing building (limited to windows, doors and signage), it is considered that there is no anticipated harm to these heritage assets from the proposed development. As such, local planning policy HE1 is not relevant to the application under consideration.

Impact upon Biodiversity

- 15.53 Third party objections raised concerns that the proposed development would result in harm to biodiversity including harm from light pollution. However, there is no proposed alteration to the roof of the existing building and the site is already hard surfaced.
- 15.54 Therefore, there is no anticipated harm to biodiversity from the proposal, so the application accords with local planning policy ME1 of the adopted Local Plan and with the Dorset Biodiversity Appraisal Protocol.

Contaminated Land

- 15.55 Due to the historic use of the application site land, Dorset Council's Environmental Protection team have recommended that the 'unexpected contaminated land' condition should be applied. Therefore, subject to this condition, the proposal is acceptable.

Flood Risk

- 15.56 The site has a risk of surface water flooding (1 in 100 and 1 in 1000) which does not impact the building but does overlap the front (west) and rear (east) site boundaries.
- 15.57 The application site is also at risk from groundwater emergence, but the proposed development falls under the category of 'less vulnerable' development with the NPPG.

- 15.58 A Flood Risk Assessment has been submitted which is considered to be appropriate to the scale of the proposed 'less vulnerable' development, which identifies the watercourse beyond the rear of the site, acknowledges groundwater and surface water flooding risks, confirms that the floor levels are as per existing, and includes a flood event action plan.
- 15.59 The proposal will not increase flood risk so accords with planning policy ME6 of the adopted Local Plan and policies within the NPPF (2021).

Land Ownership

- 15.60 Whilst the red line boundary on the submitted drawings was amended to omit the north-western corner of the site to exclude some land which is outside of the applicant's ownership, the applicant has also submitted Title Plans that support the land ownership that is set out within the submitted application form.

Other Matters

- 15.61 Other third party objections received for this application raise concerns that the proposal would result in additional litter in the area, that property prices would be reduced and reference was made to the speed limit of the road being reduced to 30 mph.

Speed Limits:

- 15.62 The speed limit of the road would be a matter for the Highways Authority, so this is not a matter for consideration within this Officer Report.

Advertisements:

- 15.63 A third party objection raised concerns over the appearance of the proposed totem pole shown on the submitted plans and to its illumination. An Advertisement Application has not been submitted alongside this Full Planning Application but would be required. The matter of the totem pole advertisement and its illumination will need to be dealt with separately outside of this application. As such, an informative note has been added.

Property Prices:

- 15.64 Property prices are not a material planning consideration so is not assessed within this Officer Report.

Litter:

- 15.65 The matter of litter is addressed within the 'Impact upon Neighbouring Amenity' section in this Officer Report.

16.0 Conclusion

- 16.1 The proposed re-use of a former car sales room building within the village infill area is judged acceptable. Conditions can be imposed to limit hours of operation and control extraction so that demonstrable harm to neighbouring amenity can be avoided. The proposal is found to accord with the Development Plan as a whole.

17.0 Recommendation

Grant, 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:

RSTH/S5968/500 A Location Plan & Existing Ground Floor Plan

RSTH/S5968/502 A Proposed Ground Floor Plan & Detail

RSTH/S5968/503 Proposed Elevations

RSTH/S5968/504 A Proposed Block Plan

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

3. Before any new external materials are used on the site, details shall be submitted to the Local Planning Authority for agreement in writing. Only materials agreed by the Local Planning Authority shall be used in the development.

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

4. Prior to commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement shall include mitigation measures that manage any possible adverse effects associated with the development during the construction period and should include: operating times of construction, no bonfires, protection of nearby receptors from dust arising from construction & vehicle movements, and the storage of waste materials prior to removal from the site.

The approved development shall be carried out strictly in accordance with the approved Construction Method Statement.

Reason: In the interests of neighbouring amenity.

5. Prior to first use of the approved development, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. Any trees, shrubs or plants that die within a period of five years of the commencement of development, or are removed and/or become seriously damaged or diseased in that period shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of a similar size and species unless the Local Planning Authority gives prior written permission for any variation.

Reason: In the interest of visual amenity.

6. Prior to the first use of the building for the use hereby approved the turning/manoeuvring and parking shown on Drawing Number RSTH/S5968/504 revision A must have been constructed. Thereafter, these areas, must be maintained, kept free from obstruction and available for the purposes specified for the lifetime of the development.

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

7. Prior to first use of the building for the use hereby approved, the mitigation (12kg/m² barrier fence and extraction attenuator to provide the minimum attenuator insertion loss shown in table 6.5) within section 6.2 'Rating Noise Level and Assessment' of the submitted Noise Impact Assessment Report ref: VA4718.230523.NIA (produced by Venta Acoustics, dated 24 May 2023) shall be installed and shall thereafter be maintained as per the approved documents. Sufficient space will be provided to accommodate the extra attenuator in addition to the carbon filter (odour mitigation) within the extraction system.

Reason: In the interest of neighbouring amenity.

8. Prior to the commencement of installation of the commercial kitchen extraction system, a scheme containing full details of the arrangements for internal air extraction, odour control, and discharge to atmosphere from cooking operations, including any external ducting and flues, shall be submitted to, and approved in writing by the Local Planning Authority (LPA) along with an appropriate odour assessment. The works detailed in the approved scheme shall be installed in their entirety before the first use or first occupation of the hereby approved development. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out.

Reason: In the interest of neighbouring amenity.

9. Prior to first use of the building for the use hereby approved, details of boundary treatments, the external seating, the barriers and associated paraphernalia, shall be submitted to and agreed by the Local Planning Authority. Such details should include scaled plans and elevations. The boundary treatments and external seating shall be installed as approved and thereafter maintained for the lifetime of the development in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance of the development and in the interests of neighbouring amenity.

10. The business shall be shut to customers and no sale of goods shall take place outside of the hours of 06:00-20:00 each day.

Reason: In the interest of neighbouring amenity.

11. There shall be no deliveries or/and waste collections outside of the hours of 07:00 – 21:00 each day.

Reason: In the interest of neighbouring amenity.

12. No customers shall be allowed to use the outdoor seating area outside of the hours of 08:00 – 20:00 each day.

Reason: In the interest of neighbouring amenity.

13. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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.

2. The applicant is advised an Advertisement Consent is required for any advertisements proposed and associated illumination, which would require a separate permission to this planning application.