

Application Number:	P/FUL/2024/01782		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Plant World Nurseries Kendall Lane Milton On Stour Gillingham SP8 5QA		
Proposal:	Development of a cafe, workshop and a new vehicular access and road (to replace the existing vehicular access).		
Applicant name:	Plant World		
Case Officer:	Jennie Roberts		
Ward Member(s):	Cllrs Potheary, Cllr Ridout and Cllr Woode		
Publicity expiry date:	8 August 2024	Officer site visit date:	3 July 2024
Decision due date:	4 October 2024	Ext(s) of time:	4 October 2024
No of Site Notices:	1 at entrance to site		
SN displayed reasoning:	To publicise the application to passers-by		

1.0 This application is brought before the planning committee at the request of the chair and vice-chair, because the recommendation is contrary to that of the town council. Additionally, Cllrs Potheary and Woode requested that the application be heard at committee if officers were minded to refuse the application.

2.0 Summary of recommendation:

REFUSE

3.0 Reason for the recommendation:

Having regard to the site's location outside of any settlement boundary, the proposed workshop is not of a type considered appropriate in the countryside, nor is there an overriding need for it to be located in the countryside.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The proposed workshop is not of a type appropriate in the countryside, nor is there an overriding need for it to be located in the countryside. As such, the principle of the development is unacceptable. The proposed café could be supported as part of the development of the existing business.
Scale, design, impact on character and appearance	The proposed scale and design of the development would have an acceptable impact upon the character and appearance of the surrounding area.
Impact on the living conditions of the occupants and neighbouring properties	The proposed development would not impact negatively upon the amenity of any residential properties.
Impact on heritage assets	The proposed development would not impact negatively upon any heritage assets.
Flood risk and drainage	The site is identified by the Council's Strategic Flood Risk Assessment as being at very low risk of flooding from rivers, sea, surface water or groundwater.
Highway impacts, safety, access and parking	The proposal would have an acceptable impact in relation to highway safety, access and parking provision.
Impact on trees	The proposal would have an acceptable impact upon the protected trees on the site.
Biodiversity	The application is supported by a Natural Environment Team-approved Biodiversity Plan, and the development would be acceptable in terms of its impact on biodiversity.

5.0 Description of Site

This site forms part of the grounds of Plant World, a plant nursery in Milton on Stour. It comprises an area of land within the nursery, immediately adjacent to the existing buildings. Milton on Stour is a small village, which lies to the north of Gillingham. The site is outside of any conservation area and is not within a National Landscape (AONB).

6.0 Description of Development

The application seeks full planning permission to develop a café within a single storey L-shaped building and a separate rectangular workshop building. Both buildings would have timber clad walls underneath a pitched slate roof. The planning statement states that the café would be ancillary to the existing nursery, forming part of the same planning unit. The agent explained at a site meeting that the proposed workshop building would have a Class E(g) (formerly B1) use; there is currently no end-user lined up to occupy the building.

Access to the proposed development would be derived from a new vehicular access off the B3092 and a private road which is also planned to serve the existing nursery and seven dwellinghouses proposed under planning application P/FUL/2024/01781. The existing access to the nursery will be closed as part of the proposal.

7.0 Relevant Planning History

2/1990/0765 - Decision: REF - Decision Date: 29/10/1990

Change of use, agricultural land to agricultural/garden centre and erect office/sales/facilities building

Appeal Dismissed (ref: T/APP/N1215/A/91/181058/P5)

2/1991/0680 - Decision: GRA - Decision Date: 16/07/1993

Construction of sheds & polytunnel for agricultural use

Associated S106 agreement covenanting that the land and development shall not be used for the storage or sale of any of a wide range of goods (detailed under 'principle of development' later in the report)

2/1996/0322 - Decision: GRA - Decision Date: 02/10/1998

Relief from conditions 1 & 2 attached to P/P 2/91/680 (time limited to expire 30/6/96) to permit permanent retention of sheds and polytunnels

Associated S106 agreement covenanting that the land and development shall not be used for the storage or sale of any of a wide range of goods (detailed under 'principle of development' later in the report)

2/2001/0625 - Decision: GRA - Decision Date: 01/11/2001

Erect building to provide indoor display area, erect toilet block, form new vehicular access, extend car park

2/2002/0024 - Decision: GRA - Decision Date: 04/03/2002

Erect building to provide indoor display area, erect toilet block, form new vehicular access and extend car park (amended scheme)

2/2009/0634/PLNG - Decision: GRA - Decision Date: 05/10/2009

Planning Application to vary condition numbers 11 and 16 on planning application 2/2001/0625 to allow the access to be re-designed

2/2013/0304/PLNG - Decision: GRA - Decision Date: 29/07/2013

Request to modify planning obligations of an Agreement dated 2 July 1993 under Section 106 of the Town and Country Planning Act 1990, to separate Kendalls Cottage from the business and to broaden the range of goods sold.

P/FUL/2022/03709 - Decision: WIT - Decision Date: 17/11/2022

Erect 5 No.dwellings with garages, form new vehicular and pedestrian access and block in existing access. Create estate road and associated infrastructure.

Erect 1 No. detached cafe and 1 No. detached workshop with parking.

8.0 List of Constraints

Outside settlement boundaries (countryside)

Site of Special Scientific Interest (SSSI) impact risk zone

9.0 Consultations

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

Consultees

1. Gillingham TC – support:

- The proposed new vehicular access off the B3092, is considered to be an improvement and there will be no direct access onto Kendalls Lane.
- The proposals will boost the local economy and provide an opportunity for employment.
- Following the loss of the village shop and post office the proposals will provide a community hub for Milton-on-Stour.
- The proposed café and workshop building will have timber clad walls underneath a pitched slate roof and have been scaled and designed to reflect the character of the area.
- The site is not located within a Conservation Area. The proposed café and workshop have been designed and located to be visually unintrusive and will not have a detrimental effect on any designated or non-designated heritage asset.

2. Dorset Police Architectural Liaison Officer – no objection:

- If application granted, wishes to speak to developer to ensure suitable security measures are implemented in both buildings.

3. Highways – no objection, subject to conditions

4. Dorset Waste Team – no comments received

5. Trees – no objections, subject to condition

6. **National Highways** – no objection
7. **Env. Services – Protection** – no comment
8. **Building Control North Team** - no comments received
9. **Public Health Dorset** - no comments received
10. **Gillingham Ward Member** – Cllr Potheary – support:
 - Plant World is a very good local business and it would seem that the planned improvements to the core business, and the small-scale development of modest housing, appears to be entirely appropriate. It will also help to ensure the business continues to thrive. The Town Council Planning Committee voted to support and I would like to request that the application comes to Northern Planning Committee - if the officer is minded to refuse.
11. **Gillingham Ward Member** - Cllr Ridout - no comments received
12. **Gillingham Ward Member** – Cllr Woode – comment:
 - The Town Council strongly supports this application. They emphasize the improvements to the existing vehicular access, the community benefits of creating a local hub for residents, the economic and employment advantages, and that the proposed cafe and workshop are designed to be in character with the area. They also note that this proposal will help replace lost amenities such as the village shop and post office. If the officer is inclined to reject this application, I would like it to be referred to the committee for further consideration.
13. **Highways Asset Manager** - no comments received

Representations received

Total - Objections	Total - No Objections	Total - Comments
6	3	0

Petitions Objecting	Petitions Supporting
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0	1
0 Signatures	372 Signatures

Summary of comments of objections:

6 comments of objection have been received:

- Workshop more suitably located on industrial unit of which several are located in the area
- Village does not have mains drainage and the effluent from septic tanks would drain downhill from Plantworld towards Colesbrook or to the centre of the village and the river
- Rainwater from Plant World already floods Kendalls Lane and Kendalls Lodge. This plan to build on Plantworld would reduce the amount of ground to absorb the water. It would exacerbate the current situation
- It would mean another access road onto the B3095, making 4 turnings in half a mile. There are frequent accidents already
- Site within Milton on Stour Conservation Area and recognised in Gillingham Plan. This is an area of special historic interest, the character and appearance of which should be preserved or enhanced. A workshop and property development would not be in keeping with this
- New entrance does not line up with a gap in the hedge across the road so for anyone walking or cycling on the path they would have to walk in the road to get to the entrance, very dangerous
- No mains drainage in the village and the addition of toilets and kitchens in both buildings will create septic tank run off into the village and/or surrounding properties.
- Concern about the number of cars development will bring and not much extra parking is being allowed. Currently room to park but at busy times there is potential for cars to queue out onto the busy main road.
- This proposal is totally unsuitable for Milton village.
- The development might be detrimental to the wildlife that inhabit and visit the adjacent land and would cut through an important area of trees and habitat

Summary of comments of support:

3 comments of support have been received:

- The addition of a cafe will be of great benefit to the area and will help this independent, family run business to compete against the large, garden centre chains. The plans for expansion will allow it to flourish.
- A café would help the local community as there are few places to meet up
- A café would attract people from further away, which would help local businesses

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.

11.0 Relevant Policies

Development Plan

North Dorset Local Plan Part 1 (2016)

- Policy 1 - Presumption in Favour of Sustainable Development
- Policy 2 - Core Spatial Strategy
- Policy 3 - Climate Change
- Policy 4 - The Natural Environment
- Policy 5 - The Historic Environment
- Policy 13 - Grey Infrastructure
- Policy 20 - The Countryside
- Policy 23 - Parking
- Policy 24 - Design
- Policy 25 - Amenity
- Policy 30 - Existing Employment Sites in the Countryside

Gillingham NP; Status 'Made' 27/07/2018

Material Considerations

Emerging Local Plans:

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

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

National Planning Policy Framework

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 making': Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 '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 beautiful 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 and beautiful 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 131 – 141 advise that:
The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.
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'- Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 205). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 209).

Other material considerations

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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. There are no known impacts on persons with protected characteristics.

14.0 Financial benefits

What	Amount/Value
Material considerations	
New jobs	4 full-time equivalent new jobs would be created
Employment created during construction phase	The proposal will support local jobs in the construction sector and will bring about ‘added value’ in the local area through associated spending and economic activity.
Spending in local economy by visitors to the nursery	The proposal will support the local economy
Non-material Considerations	
Business Rates	According to the appropriate charging bands

15.0 Environmental Implications

A sustainability statement has been submitted which confirms that the buildings would comply with Building Regulations in respect of energy and water efficiency and that solar panels and air source heat pumps will be considered to generate power and help to heat the dwellings. Timber cladding would be sourced from a local timber supplier. An accessibility statement has been provided which details the public transport and active travel options to and from the site.

16.0 Planning Assessment

Planning History of the site

Before assessing whether the principle of this proposed development is acceptable, it is necessary to take a detailed look at the planning history of the site, which has an agricultural land use and is occupied by a plant nursery.

In 1990, an application (re: 2/1990/0765) was refused for the change of use of this agricultural land to a garden centre, together with the erection of an office/sales/facilities building. The inspector dismissed the subsequent appeal, considering that granting planning permission for a garden centre would clear the way for a far more intensive commercial enterprise, which would be an encroachment into the countryside beyond the limits of the village and would consequently harm the rural character of the area.

In 1993, temporary planning permission (ref: 2/1991/0680) was granted for the construction of sheds and a polytunnel for agricultural use; an associated S106 agreement was completed, covenanting that the land and development shall not be used for the storage or sale of:

- 1) *garden furniture or statuary but excluding plant containers*
- 2) *powered machinery equipment or tools but excluding gardening hand tools*
- 3) *fencing materials excluding trellis*
- 4) *building materials bricks paving slabs concrete or aggregates*
- 5) *any building or buildings as defined under section 336 of the ACT including any prefabricated building or buildings sheds and green houses*
- 6) *books periodicals newspapers or any other reading material other than as may be kept on the land for reference purposes*

- 7) *any food and drink (other than plants or vegetables) for consumption on or off the land or the development*
- 8) *consumable goods excluding fruit and vegetables grown on the land*
- 9) *electrical goods*
- 10) *space heating equipment*
- 11) *solid fuels and liquid petroleum gas*

In 1998 (ref: 2/1996/0322), permanent planning permission was given to these structures, and a further s106 agreement (with the same restrictions as before) was also completed.

In 2001 (ref: 2/2001/0625), planning permission was granted by the planning committee for the erection of a building to provide an indoor display area, a toilet block, the formation of a new access and the extension of the car park. In their report, the officer considered that the application amounted to a reasonable consolidation of the existing business, which would not result in a change in the nature of the nursery business use to a commercial retail garden centre. They considered it important that the existing restrictions remain in place. An amended scheme was granted planning permission in 2002 (ref: 2/2002/00244).

In 2009, planning permission was granted (ref: 2/2009/0634/PLNG) for alterations to the access.

In 2013, an application was made (ref: 2/2013/0304/PLNG) to broaden the range of goods (as set out in the 1993 s106 agreement) permitted to be sold from the site. In his report, the planning officer stated that,

“The [application] concerns the widening of the range of goods and services that can be legitimately sold and traded from the Plantworld Ltd site so as to bring it into line with the terms of the operational planning permission for the more recent similar garden centre / nursery business known as Orchard Park which is located about 2 miles away on the other side (immediately SE) of Gillingham town. Officers consider that it is necessary, in the interests of fairness, to ensure that the two similar businesses (and indeed any other similar businesses in the District) are allowed to operate under the same planning regime.”

Thus, the revised range of goods permitted to be sold was limited by condition (rather than by a modification to the s106 agreement). Condition 2(b) set out that that range

of goods and services that can be legitimately sold/traded from the site would be limited specifically and only to the following items, which excludes food and drink:

1. Plants, bulbs, seeds etc. including hardy and non-hardy species / varieties for outdoor, indoor, greenhouse / conservatory culture, for ornamental, functional and food production purposes.
2. Compost and compost bins, fertilisers, mulching materials, herbicides, pesticides (chemical and biological) etc.
3. Pots, containers, toughs etc. plant labels and protections systems including cloches, supports, cold frames, tree guards, stakes and ties, windbreaks, netting and horticultural fleece.
4. Fresh, dried and artificial flowers and plants.
5. Garden furniture, structures, ornaments and statuary - but not general domestic / household furniture or goods).
6. Garden fencing and trellis, path, paving and edging materials, rockery stone, timber decking, fixtures and supports etc.
7. Materials for the treatment and preservation of garden furniture and timber goods, including brushes etc. - but not general household paints and decorating materials.
8. Conservatories, garden buildings including potting sheds, greenhouses, sun-houses, gazebo's, shelters, stores etc. - but excluding pre-fabricated garages.
9. Space heating and cooling equipment requisite for use in the above buildings and structures, and any necessary fuels and liquids - in domestic quantities only.
10. Garden barbecue equipment and related items, and the necessary fuels - in domestic quantities only.
11. Ponds, pond liners, pumping and filtration equipment and ancillary items and accessories.
12. Fish and associated goods, wild bird and pet foods and associated items and supplies.
13. Water conservation and irrigation equipment.
14. Garden lighting systems and equipment and accessories.

15. Garden information including specialist publications e.g. books, newspapers, magazines, leaflets, computer discs, DVD's and video / audio software - but excluding general interest publications and material.
16. Garden work wear, including protective outdoor clothing, footwear and gloves etc.
17. Garden tools, hand-operated and power tools and associated spares and ancillary items.
18. Sundry goods and services associated with all the above categories (paras. 1 to 17 incl.).

In 2022, an application (ref: P/FUL/2022/03709) was withdrawn. The description of the proposed development was “*Erect 5 no. dwellings with garages, form new vehicular and pedestrian access and block in existing access. Create estate road and associated infrastructure. Erect 1 No. detached cafe and 1 No. detached workshop with parking.*”

Principle of development

The planning statement states that the proposed café, together with the proposed independent workshop (for which there is currently no end user in mind), would secure the retention and sustainable growth of the existing nursery business, and the application form states that four full time-equivalent jobs would be created by the proposal. The planning statement also sets out that the proposed café would be ancillary to the nursery business.

Turning to planning policy, the application site is located in the countryside, outside of any settlement boundary; as such, Policy 20 of the local plan is relevant:

POLICY 20: THE COUNTRYSIDE

Stalbridge and the eighteen larger villages will form the focus for growth outside of the four main towns.

Development in the countryside outside defined settlement boundaries will only be permitted if:

- a *it is of a type appropriate in the countryside, as set out in the relevant policies of the Local Plan, summarised in Figure 8.5; or*
- b *for any other type of development, it can be demonstrated that there is an ‘overriding need’ for it to be located in the countryside*

It is necessary to first look at the table in Figure 8.5 of the local plan, to see if the proposals are types of development appropriate in the countryside. The relevant section of the table is ‘Supporting Economic Development’:

Supporting Economic Development	The re-use of existing rural buildings
	Redevelopment or expansion of existing employment sites
	Equine-related developments
	Rural tourist accommodation

The proposals do not involve the re-use of existing rural buildings, are not equine-related, nor do they relate to rural tourist accommodation. However, the business does provide employment, and so it is considered that the proposed ancillary café constitutes the expansion of an existing employment site. Policy 11, ‘The Economy’, and Policy 30, existing employment sites in the countryside, both state that where it would support businesses and/or provide a wider range of jobs, it may permit community uses on employment sites. In this instance, the cafe would both support the nursery business and provide further employment opportunities. As set out in the comments of support from members of the public, the cafe could be considered to provide a community hub which is lacking in the village since the closure of the village shop. It is therefore considered that the principle of the cafe element of the application accords with Policies 11, 20 and 30 of the local plan.

Currently, as set out under ‘planning history of the site’, above, there are restrictions prohibiting the sale of food and drink from the site. However, it has to be considered whether, having regard to other modern plant nursery and garden centre businesses, this total restriction still serves a useful purpose. Indeed, several local plant nurseries have ancillary cafes, including one recently approved at the smaller Dodge City Garden Nursery, in Halstock (ref: P/FUL/2023/03556). The proposed café is relatively small compared with the size of the other sales buildings at the nursery site, and it is considered that it would relate well to the main nursery business; the complete prohibition of selling food and drink from the site is therefore considered to be unnecessarily onerous on the business and not supported by policy.

Turning to the proposed workshop; this is a speculative development, with no end user proposed. It is unrelated to the functioning of the plant nursery and does not, therefore, pertain to the expansion of the existing employment site. The planning statement says that the workshop would help to secure the retention of the nursery, no evidence has been provided to demonstrate this, or that there is an overriding need for an independent workshop with Class E(g) use to be located in the countryside (indeed, there are likely to be more sustainable sites available in nearby Gillingham). As it meets neither criteria a nor b, the principle of the proposed workshop is contrary to Policy 20 of the local plan.

Scale, design, impact on character and appearance

The proposed buildings would have timber-clad walls, underneath pitched slate roofs. They would be located close to the existing nursery buildings and would be reasonably well-screened from public views by established trees and hedgerows. The scale and design of the buildings is considered appropriate in this rural setting, and it is considered that the proposed development would have an acceptable impact upon the visual amenity of both the immediate surroundings and the wider landscape. As such, the proposal accords with Policy 24 (Design) of the Local Plan

Impact on the living conditions of the occupants and neighbouring properties

There are no adjoining or nearby residential properties that would be affected by the proposed cafe and workshop. As such, it is considered that the proposed development would have no negative impact upon the amenity of any residential property. The proposal would accord with Policy 25 (Amenity) of the Local Plan.

Impact on heritage assets

The nearest designated heritage assets are the Conservation Area (approximately 200m to the north and west of the site), and the Grade II listed Church of St Simon and St Jude (approximately 380m to the north). The nearest non-designated heritage asset (identified within the Gillingham Neighbourhood Plan (GNP)) is Kendalls House (approximately 50m to the south and on the opposite side of Kendalls Lane). The mature planting either side of the lane would ensure that the proposed development would not affect the setting of this non-designated asset. The proposal would accord with Policy 5 (The Historic Environment) of the Local Plan.

Flood risk and drainage

The application site is within an area identified by the Council's Strategic Flood Risk Assessment (SFRA) as being at the very lowest risk of flooding from rivers, sea, surface water or groundwater. As such, it is considered that the development would not be at risk of flooding, nor would it increase the risk of flooding elsewhere, in accordance with Policy 3 (Climate Change) of the Local Plan. In the event the application is approved, a pre-commencement condition requiring the submission of surface water drainage details is recommended.

Highway impacts, safety, access and parking

The Highway Authority considers the proposed new vehicular access onto the B3092 to be acceptable, with the existing access to be permanently closed to both vehicular and pedestrian traffic. Visibility splays meet with the guidance provided by Manual for Streets 2 (MfS2), and the internal layout will provide a suitable level of site parking for both cars and cycles, allowing for deliveries to the garden centre to be made safely. A pedestrian link from the car park to the proposed café has been provided at the request of the Highway Authority, who, subject to conditions, raise no objections to the application. It is therefore considered that the proposal has an acceptable impact in relation to highway safety, access and parking provision, and is in accordance with Policy 23 (Parking) of the Local Plan.

Impact on trees

The site is protected by an Area Tree Preservation Order. The proposed development will see a small incursion into the root protection area of a few of the protected trees, but the tree officer considers these to be minimal in nature, and subject to adherence to the supplied arboricultural information (to be secured by condition), raises no objection to the proposal. The proposal therefore accords with Policy 4 and 24 (Design) of the Local Plan.

Biodiversity

The application is supported by a NET-approved biodiversity plan. In the event the application is approved, a condition requiring compliance with the Biodiversity Plan is recommended. The proposal is in accordance with Policy 4 (The Natural Environment) of the Local Plan.

17.0 Conclusion

The proposed cafe would support the nursery business and provide further employment opportunities at the site, whilst also providing a community hub for the

village, in accordance with Policies 11 and 20 of the Local Plan. However, the proposed workshop is unrelated to the functioning of the nursery and it has not been demonstrated that there is an overriding need for it in the countryside; as such, it is contrary to Policy 20 of the Local Plan.

The proposed development would therefore conflict with the development plan taken as a whole and there are no material considerations that would outweigh these concerns.

18.0 Recommendation

Refuse permission for the reasons set out below

1. Having regard to the site's location outside of any settlement boundary, the proposed workshop is not of a type considered appropriate in the countryside, nor is there an overriding need for it to be located in the countryside. As such, the proposal fails to comply with Policy 20 of the North Dorset Local Plan (2016) and the NPPF.