

Application Number:	P/FUL/2024/02697		
Webpage:	Planning application: P/FUL/2024/02697 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Barn Opposite Old Quarry Close, Worth Matravers		
Proposal:	Partial demolition and conversion of existing barn to form three dwellings, with associated landscaping and parking		
Applicant name:	County Gates Developments Ltd.		
Case Officer:	Cari Wooldridge		
Ward Member(s):	Cllr Wilson		
Publicity expiry date:	23 August 2024	Officer site visit date:	28/02/24 for former application and more recently in passing
Decision due date:	12 August 2024	Ext(s) of time:	To be requested to allow for committee determination
No of Site Notices:	X4		
SN displayed reasoning:	The site notices were displayed in prominent positions in the interest of maximising awareness of the application.		

1.0 The application has been referred to committee for consideration by the Chair of the Eastern Area Planning Committee.

2.0 Summary of recommendation:

The committee REFUSE planning permission.

3.0 Reason for the recommendation:

The application site is in an unsustainable location in the countryside and outside any settlement boundary and the proposed residential development fails to accord with policy V1 of the Purbeck Local Plan 2024 and paragraph 84 of the NPPF. The benefits of the scheme include the opportunity to secure an affordable housing contribution but no material circumstances that outweigh the harm arising from the development of three isolated homes in the countryside have been identified.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Unacceptable. Development of three dwellings in the countryside and outside the settlement boundary of Worth Matravers contrary to local and national policy in respect of rural housing. A 5-year housing land supply for the Dorset Council area has been confirmed by PINS and the tilted balance no longer applies.
Affordable housing and second homes restriction	Acceptable subject to condition and legal agreement.
Scale, design, and impact on character and appearance of the area including the Dorset National Landscape (formerly known as AONB)	Acceptable subject to conditions.
Impact on neighbour and occupier amenity	Acceptable.
Highway safety, access and parking	Acceptable subject to conditions.
Biodiversity impacts	Acceptable subject to conditions.
Flood risk and drainage	Acceptable.
Site contamination	Acceptable subject to condition.

5.0 Description of Site

- 5.1 The application site is located on the eastern fringe of Worth Matravers and is particularly prominent in wider landscape views due to its edge of village setting and the surrounding open landscape character. Nearby residential properties are located on Old Quarry Close and Newfoundland Close to the southwest / west of the site with the nearest property on Old Quarry Close being located approx. 16 m from the existing barn. The site is within the countryside and Dorset National Landscape (formerly known as AONB).
- 5.2 The existing barn is constructed of a concrete block base with grey metal elevations and roof cladding, a large metal roller shutter door on the east elevation, and several smaller units forming a lean-to extension off the north elevation. The site is enclosed by Purbeck Stone walling on its southern boundary, a landscape bund along its northern boundary and post and wire fencing. There is an existing double gated access off the highway and areas of compacted rubble hardstanding to the east and providing access to the north (rear) of the building. The remaining areas within the site are overgrown and an element of external storage is taking place to the rear.

6.0 Description of Development

- 6.1 The application proposes the partial demolition of the existing barn and conversion of the remaining barn structure to form three 4-bedroom dwellings with associated landscape and parking.

7.0 Relevant Planning History

6/1980/0517 - Decision: GRA - Decision Date: 17/10/1980
Erect extensions to existing agricultural building.

6/1994/0026 - Decision: REF - Decision Date: 28/02/1994
Change use of agricultural barn to form a camping barn.

P/CLE/2023/00563 - Decision: GRA - Decision Date: 28/03/2023
Use of a redundant agricultural barn for commercial storage under Use Class B8

P/FUL/2024/00712 - Decision: REF - Decision Date: 10/04/2024
Partial demolition and conversion of existing barn to form three dwellings, with associated landscaping and parking
Reasons for refusal:

1. Insufficient information has been provided in the form of a suitably scaled drawing to include site access visibility splays within the applicant's landownership and in accordance with guidance within the Manual for Streets to determine that the proposal would not result in material harm to the transport network or to highway safety. As such, the proposal is not considered to comply with Policy IAT of the PLP 2012 which requires that new development should provide for improved safety and convenience of travel, safe access to the highway, and should provide towards new / improved access to the highway.
2. The proposed development would result in a new and harmfully intrusive level of artificial light pollution into the intrinsically dark landscape and dark night skies of the Dorset National Landscape which would not positively integrate with the rural character and appearance of the area. The proposal does not seek to further the purposes of conserving and enhancing the natural beauty of the Dorset AONB / Natural Landscape and would erode key characteristics of the National Landscape Setting of the application site and village, including their sense of tranquillity, and remoteness associated with the dark night landscape and skies. As such, the proposal is contrary to Section 85 of the Countryside and Rights of Way Act (2000), paragraphs 180 and 182 of the NPPF, Policies LHH & D of the PLP 2012, and the objectives of the Dorset AONB Management Plan 2019-2024 (paragraph 9.3.1 and policy C2(d) and (f)). The level of harm to the key characteristics of the Dorset National Landscape resulting from the artificial light intrusion would be so significant as to outweigh the benefits of the scheme, including the provision of three additional dwellings towards the area housing land supply deficit, and the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF does not therefore apply.

8.0 List of Constraints

National Landscape (Area of Outstanding Natural Beauty (AONB)): Dorset - (statutory protection Local Planning Authorities to seek further the purposes of

conserving and enhancing the natural beauty of the area of outstanding natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Site of Special Scientific Interest (SSSI) impact risk zone - To enable the identification of potential risk posed by new residential development proposals to nearby SSSIs, SACs, SPAs and Ramsar sites.

Dorset Heathlands - 5km Heathland Buffer

Purbeck Heritage Coast

Minerals and Waste Safeguarding Area

Minerals and Waste - Building Stone

Radon: Class: Class 2: 1 - 3%

Right of Way: Footpath SE29/24; - Distance: 7.02

Scheduled Monument: Group of medieval strip lynchets at East and West Man (List Entry: 1019951.0); - Distance: 168.31

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 4986.81

9.0 Consultations

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

Consultees

1. Natural England

Habitats Regulations Assessment required.

Providing that the Appropriate Assessment concludes that mitigation measures can be secured [with sufficient certainty] as planning conditions or obligations by your authority , and providing that there are no other likely significant effects identified (on this or other protected sites) which require consideration by way of appropriate assessment, Natural England is likely to be satisfied that your appropriate assessment will be able to ascertain with sufficient certainty that there will be no adverse effect on the integrity of the European Site from recreational pressure in view of the site's conservation objectives.

Natural England is unlikely to have further comment regarding the Appropriate Assessment, in relation to recreational disturbance.

2. Ramblers Association

No comments received.

3. Dorset Council – Highways

At present the barn has agricultural use but will be replaced with vehicular movements for residents and visitors.

By reducing the radii, the bell mouth can be narrowed, this is likely to encourage drivers to emerge with caution.

There is onsite parking and vehicles will be able to turn in a forward gear.

Applicant has provided a visibility splay drawing aligning to the carriageway geometry.

There appear to be 'Slow' road markings and 3-2-1 strips on the adjacent carriageway at intervals to the village threshold.

The development is vehicle reliant but there is capacity on site for the applicant to build in a cycle store facility, Ebike charging and EV charging as standard.

No objection subject to conditions and informative notes.

4. Dorset Council – Rights of Way

No comments received.

5. Dorset Council – Natural Environment / Biodiversity Net Gain Team

Comment of 07/08/24 - No specific comments to make on the BNG information submitted with this application.

6. Dorset Council – Building Control

Ensure Boundary Conditions are compliant with regards spread of flame and part B of the building Regulations.

May be clay soils.

Ensure electric Vehicle charging points are provided.

SAP/EPC/PARTG water efficiency calculations are provided and overheating calcs.

Ensure photographs are taken of all thermal junctions and elements and given to SAP assessor and ourselves.

Ensure Part R- Electronic communication is indicated where it comes into site and details provided.

Ensure means of escape in case of fire is compliant and access for fire brigade is ok.

6. Dorset AONB Team

Do not wish to comment due to scale of proposal.

7. Worth Matravers Parish Council

Object in principle and on planning policy grounds.

Size and scale.

The current very high barn structure, a replacement for a barn burnt down a few years ago, is not a reasonable comparison size and height to justify this residential proposal for three new three story terraced properties.

Application is unlike the one built opposite. Offers no affordable housing.

On the outskirts of Worth village and if approved would give rise to unwanted further private development pressure and impact on open land and gardens in the immediate area of Worth village.

8. Ward Member – Cllr B Wilson

Must be subject to the emerging Local Purbeck Plan - Policy H11 - Affordable Housing and Policy E14 restricting dwellings to being primary dwellings and not second homes.

Representations received

No representations were received in response to the consultation on this application.

[It is noted that 4 letters of objection were received in response to the consultation on former refused application P/FUL/2024/00712]

10.0 Duties

- 10.1 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.
- 10.2 Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB).

11.0 Relevant Policies

Development Plan

The Purbeck Local Plan (2018-2034) Adopted 2024 – Date of adoption 18/07/24

Policy V1: Spatial Strategy for sustainable communities

Policy E1: Landscape

Policy E4: Assessing flood risk

Policy E5: Sustainable drainage systems (SuDs)

Policy E7: Conservation of protected sites

Policy E8: Dorset heathlands

Policy E10: Biodiversity and geodiversity

Policy E12: Design

Policy H2: The housing land supply

Policy H11: Affordable Housing

Policy H14: Second Homes

Policy I2: Improving accessibility and transport

Policy I3: Green infrastructure, trees and hedgerows

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 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 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.

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 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.

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'- In Areas of Outstanding Natural Beauty (National Landscapes) great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 184). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.

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.

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Bournemouth, Poole and Dorset residential car parking study May 2011 – guidance.

Dorset Biodiversity Protocol.

Dorset Council Level 1 Strategic Flood Risk Assessment

District Design Guide SPD

Managing and using traditional building details in Purbeck

Dorset Council SD01 Annual Position Statement – 5 Year Housing Land Supply 31st
July 2024

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.

It is considered that the proposed development would not disadvantage persons with protected characteristics

14.0 Financial benefits

What	Amount / Value
Material Considerations	
Affordable Housing Commuted Sum	£114,000
Non-material considerations	
Council Tax	£2,270.94 (based on average Council Tax Band D)
CIL	£7,921.87

15.0 Environmental Implications

15.1 The proposal is for a barn conversion to three dwellings which will be undertaken in accordance with current building regulations standards. The conversion will involve utilising the existing fabric of the barn with associated reductions in emissions compared to a new build. Suitable drainage will prevent any additional impact on terms of flood risk. Landscaping and biodiversity net gain measures will be secured.

16.0 Planning Assessment

Background to application

16.1 In 2023 a Lawful Development Certificate for an existing use was granted for the 'use of the redundant agricultural barn for commercial storage under Use Class B8'. As a certificate of lawfulness cannot include conditions, there are no restrictions on this commercial storage use of the site.

16.2 In April 2024, an application for the partial demolition and conversion of the barn to form three dwellings, with associated landscaping and parking was refused planning permission on grounds of highway safety and harmfully intrusive light pollution on the intrinsically dark night skies of the Dorset National Landscape (full reasons for refusal included in history section above).

16.3 The current application seeks to address the former reasons for refusal and again proposes partial demolition of the barn and conversion into three 4-bedroom homes with associated landscaping and parking. Bedroom accommodation is proposed on the ground floor with open plan living accommodation at first floor served by large new window openings and inset balconies. Sliding timber shutters are proposed at first floor level. Sections of the barn are proposed to be removed as part of the conversion – particularly to the rear - to reduce the mass and visual prominence of the building within the landscape and to provide suitable private external amenity space for future occupants. Proposed materials include timber cladding with Purbeck Stone sections at ground floor. Additional landscape planting is proposed, and the existing landscape bund to the rear of the site is to be retained.

16.4 The main planning considerations are:

- The principle of development
- Affordable housing
- Scale, design and impact on the character and appearance of the area including the Dorset National Landscape- whether the previous refusal reason has been overcome
- Impact on neighbour and occupier amenity
- Highway safety- whether the previous reason for refusal has been overcome

These and other considerations are assessed below.

Principle of development

16.5 The application site is located approximately 70m northeast of the defined settlement boundary of Worth Matravers and is therefore classed as 'countryside' in accordance with Policy V1: Spatial strategy for sustainable communities and the settlement

hierarchy of the Purbeck Local Plan 2024. The site is close to but not adjoining the village settlement boundary so cannot benefit from Policy H8: Small sites next to existing settlements.

- 16.6 Policy V1 identifies appropriate locations for new housing. The proposed site does not accord with the policy requirements as it lies outside any settlement. The policy is silent on the reuse of existing buildings in the countryside.
- 16.7 National and local planning policies support sustainable growth in rural communities whilst recognising the need to retain the intrinsic character and beauty of the countryside. Paragraph 83 of the National Planning Policy Framework (NPPF) advises that in order '*to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities*'. The proposal would provide three additional market dwellings and future occupants may potentially make a modest contribution to supporting the local facilities currently comprising a pub, a tea and coffee shop, a church and a village hall.
- 16.8 Paragraph 84 of the NPPF advises that new isolated homes in the countryside should be avoided unless there are special circumstances such as (criterion c) where the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting.
- 16.9 The definition of 'isolated' was considered by the Court of Appeal in *Braintree District Council v Secretary of State for Communities and Local Government* [2018] EWCA Civ 610, [2018] 2 P. & C.R. 9. The court determined that it is for the decision maker to determine '*whether [the development] would be physically isolated, in the sense of being isolated from a settlement*' (Braintree 42).
- 16.10 In this case the building is not isolated from other houses, as it is close to housing on the rural exception site to the south of the highway and it lies approximately 70m from the Worth Matravers settlement boundary, albeit access to the settlement is by unlit country roads without consistent pavement. Notwithstanding the proximity to Worth Matravers, this is a 'small village with a limited range of facilities' as identified by the Local Plan settlement hierarchy, any occupants would be reliant upon private vehicle to access shopping, education and medical facilities in Swanage and beyond so in this respect the site is isolated from key services and facilities; the site is not a sustainable location.
- 16.11 A structural survey has been submitted in support of the application which confirms that the building is structurally appropriate and capable of conversion to a residential use, but a Certificate of Lawfulness (Existing Use) was issued in 2023 for the use of the redundant agricultural barn for commercial storage (Use Class B8) and the supporting application form advises that the Barn has a current B8 Use and is not vacant. As the proposed conversion would not re-use a redundant or disused building the proposal is not considered to benefit from any of the exceptions at paragraph 84 of the NPPF.
- 16.12 It is noted that the existing B8 use of the barn is not safeguarded by way of Policy EE2: Planning for employment of the Purbeck Local Plan 2024 as the site does not form part of the identified employment land supply set out in Policy EE1: Employment land supply.

16.13 For the above reasons, the principle of the proposed development is unacceptable in the countryside as it is contrary to Policy V1 of the Purbeck Local Plan 2024 and paragraph 84 of the NPPF.

Affordable Housing and Second Homes Restriction

16.14 The Parish Council has objected that the proposal does not provide any affordable housing as in the case of the rural exception site to the south-west. The Ward Member has also commented that the application must be subject of the then emerging Purbeck Local Plan policies including Policy H11: Affordable Housing and Policy H14: Second Homes. Since the application was submitted, the Purbeck Local Plan 2024 has been adopted by the Council and its policies now hold full weight in the determination of planning applications.

16.15 Policy H11: Affordable Housing of the Purbeck Local Plan requires the provision of 20% affordable housing as part of all development for 2 – 9 dwellings where the site is located in a designated rural area (as is the case for this application). The current proposal for conversion of a barn to 3 dwellings is therefore required to make an affordable housing contribution – albeit in the form of a commuted sum. It is noted that the submitted application form advises that the barn is in a B8 Use (established by P/CLE/2023/00563) and that the site is not currently vacant. As such, the proposal does not fall within the remit of paragraph 65 of the NPPF in respect of the re-use of brownfield land and a proportionate reduction of any affordable housing contribution. The full level of contribution is therefore required.

16.16 In accordance with the Council's Guidance Note on the application of Policy H11, the level of financial contribution has been calculated as £114,000. The planning agent has confirmed the applicant's acceptance of the level of contribution which will need to be secured by way of a legal agreement – to be paid prior to first occupation of any of the new dwellings. The contribution will be spent on the provision of affordable housing within the former Purbeck area.

16.17 In respect of Policy H14: Second homes of the Purbeck Local Plan 2024, this states that new housing within the Dorset National Landscape will only be supported where there is a restriction in perpetuity to ensure that such homes are occupied only as a principal residence. The policy text confirms that the requirement also applies to changes of use to residential. A condition would be required on any consent to ensure that the proposal meets the occupation requirement in perpetuity in respect of the three new dwellings.

Scale, design and impact on the character and appearance of the area including the Dorset National Landscape (formerly known as Area of Outstanding Natural Beauty)

16.18 The application site is located within the Dorset National Landscape (formerly AONB) in an exposed and visually prominent location when viewed from the adjacent highway and surrounding areas of the landscape. Section 85 of the Countryside and Rights of Way Act (2000) requires that relevant authorities now seek '*to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB)*'. The NPPF states that the intrinsic character and beauty of the countryside

should be recognised (paragraph 180) and requires that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to these issues (paragraph 182).

- 16.19 Policy E1: Landscape of the Purbeck Local Plan 2024 requires that proposals for development conserve and enhance the natural beauty of the area and are appropriate in appearance, scale, height, layout, density, visual quality and other effects on the landscape character. It requires an assessment to be made of their direct, indirect, and cumulative impacts in relation to the significance of the landscape asset and balance them against other sustainable development objectives. Proposals are expected to conserve and enhance the natural beauty of the area and development that significantly adversely affects the character or visual quality of the landscape or seascape will not be permitted. Such adverse impacts include artificial light pollution on intrinsically dark landscapes.
- 16.20 The Dorset AONB Management Plan 2019-2024 sets out the special qualities of this designated area. This includes, that in addition to its outstanding scenic qualities, the AONB retains a sense of tranquillity and remoteness that is an integral part of the landscape. Reference is made that the AONB retains dark night skies, tranquillity, and an undeveloped rural character (paragraph 9.3.1). Policy C2 of the Plan advises that (d) *'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'* and (f) *'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.'*
- 16.21 Policy E12: Design of the Purbeck Local Plan 2024 requires all development to demonstrate a high quality of design that meets specified criterion. The District Design Guide SPD (paragraphs 166 – 173) requires that conversions of rural buildings retain the existing character, domestic details should be minimised, and new openings should be avoided or minimised and should not impact on the functional character of the building.
- 16.22 Worth Matravers Parish Council have objected to the proposal on grounds of the size and scale. The Parish Council considers that the current very high barn structure is not a reasonable comparison size and height to justify the residential proposal for three new three story terraced properties, but the proposal is for a barn conversion (as opposed to demolition and new build development) with partial demolition that will reduce the overall mass and size of the existing structure.
- 16.23 The conversion will retain the original functional appearance of the barn and will remain in-keeping with the agricultural character of the area. The alterations and partial demolition will reduce the existing building mass. More natural and locally sourced materials are proposed for the external finish and will enable the building to sit more comfortably against the rural landscape. Officers consider that the proposed enhancements to the immediate curtilage – including landscape planting - would have a positive impact on the rural character of the area and provide enhancement in the National Landscape setting.

- 16.24 Parking provision is proposed to the east of the barn in an area currently finished with compacted stone. However, the new parking provision will be well landscaped with additional hedgerow and structure tree planting which will provide a betterment on the existing position. Conditions would be needed to secure details of materials and external finishes and hard and soft landscaping. Overall, the conversion of the barn to a residential use and the associated alterations and partial demolition are considered to provide a betterment that would further the purposes of conserving and enhancing the natural beauty of the Dorset National Landscape.
- 16.25 The conversion requires the insertion of considerable new openings on all elevations of the barn to provide sufficient daylight to future occupiers. The impact of the proposed openings and the associated artificial light intrusion into the dark landscape are therefore a key consideration. The village of Worth Matravers is not served by street lighting and its isolation and relative darkness form important characteristics of its landscape setting. The existing barn has no openings on the south and west elevations and limited openings on the north and east elevations. Whilst it is acknowledged that the existing B8 storage use has no restriction on internal or external lighting, it is unlikely that related activity would extend into hours of darkness on a daily basis, and given the existing lack of openings, any internal use would result in limited artificial light intrusion into the surrounding area.
- 16.26 Nearby dwellings on the eastern fringe of the village already have some impact on the rural character of the area from the emission of artificial light after dark. However, this light intrusion is limited by the domestic scale of their glazing, with the recent Old Quarry Close development forming the current eastern extent of residential light intrusion. The proposed barn conversion would result in a further eastward expansion of artificial light intrusion into the National Landscape, with associated light spill into the intrinsically dark landscape and potential for increased daylight glare.
- 16.27 The north elevation proposes ground floor windows only. Light emission from these windows would remain well screened by the retained landscape bund on the site boundary, thereby restricting the extent of light spill / glow into the wider landscape views. However, the new openings and extensive areas of glazing on the remaining elevations – particularly as a result of extensive floor to ceiling glazing and balconies at first floor level – could allow for a new level of artificial illumination and light spill.
- 16.28 Following the refusal of the former application on grounds of harm associated with artificial light pollution, the current application seeks to address the level of harm that would be caused by way of mitigation in the form of general glazing design principles. Based on the glazing design principles in place in the South Downs National Park area, the application (Design and Access Statement) confirms that:
- The total area of glazing does not exceed 25% of the floor area of the building.
 - No large continuous glazing sections exist such as cart shed openings.
 - No single glazing unit is larger than 10 square metres.
 - Three windows are positioned within recessed balconies on the principal elevations at first floor which will reduce light spillage.
 - No ceiling or roof lights are proposed.

- The Visible Light Transmission (VLT) for every glazing specification will be 0.65 or less.

- 16.29 In addition to the above, the proposal includes the installation of shutters providing the opportunity to mitigate impact if closed at night. Officers have previously considered that although the provision of shutters is welcome, a condition requiring the closure of the shutters at night (manual or automated) would not be enforceable over the lifetime of the dwellings.
- 16.30 Whilst the above principles are supported, in order to ensure that they are effective, a condition on any grant of permission would be required to secure additional details of how the VLT limit will be secured prior to the installation of any windows and that the VLT limit is secured in perpetuity. In addition, it is considered reasonable and necessary to include a condition requiring details of any external lighting to be submitted to the Council for approval prior to first installation to ensure that levels of harm are limited.
- 16.31 Given the existing lawful and unrestricted B8 use of the building – with no limit on traffic movement, hours of use, external storage etc. - it is considered that the proposal would provide some betterment on potential maximum traffic movements to and from the site and would not result in significant adverse impact either individually or cumulatively in respect of impact on the character of the area from traffic movements.
- 16.32 Subject to the VLT limit condition in respect of artificial light pollution mitigation, the proposed conversion to dwellings is considered to further the purposes of conserving and enhancing the natural beauty of the Dorset Natural Landscape and the associated sense of tranquillity and remoteness associated with the dark night landscape and skies.
- 16.33 In order to limit the potential for additional future development within the application site that could result in harm to the National Landscape setting, officers consider that it is reasonable to include conditions that restrict future householder permitted development in terms of extensions and alterations (Class A) and outbuildings (Class E), roof alterations that may increase light spill (Class C), and the insertion of new windows that may increase light spill. Enlargement of the dwellings by way of additions or alterations to the roof are already restricted within the National Landscape so will require planning permission.
- 16.34 In summary and subject to the above conditions, officers consider that the scale, design and impact on the character and appearance of the area - including the Dorset National Landscape – is acceptable and complies with Section 85 of the Countryside and Rights of Way Act (2000), paragraphs 180 and 182 of the NPPF, Policies E1: Landscape and E12: Design of the Purbeck Local Plan 2024, and the objectives of the Dorset AONB Management Plan 2019-2024 (paragraph 9.3.1 and policy C2(d) and (f)).

Impact on neighbour and occupier amenity

- 16.35 The proposed dwellings are sufficiently distanced and off-set from the nearest neighbours to ensure that there would be no adverse impact on neighbouring amenity in terms of loss of privacy, outlook, or overbearing development.

- 16.36 The application was publicised by way of 4 site notices. Unusually, and despite the number of comments received in objection to the former application which was refused, no comments have been received from neighbours to the current application.
- 16.37 In terms of occupier amenity, the proposal has been assessed against DCLG Nationally described space standards (March 2015) on the assumption that each of the four-bedroom properties would provide 8 bed spaces (maximum). The nationally described space standards for a 2-storey dwelling require a minimum gross internal floor area of 124 m² and this is exceeded for each proposed dwelling. A suitably sized and shaped external amenity area is also provided for each dwelling.
- 16.38 The proposal is considered to accord with Policy E12: Design of the Purbeck Local Plan 2024.

Highway safety, access, and parking

- 16.39 The application site has an existing access onto the lane to Worth Matravers. The former application was refused on grounds of insufficient information being provided in the form of a suitably scaled drawing to include site access visibility splays within the applicant's landownership and in accordance with guidance within the Manual for Streets to determine that the proposal would not result in material harm to the transport network or to highway safety.
- 16.40 The current application is supported by Access Visibility Plan 6082/001 which has been subject of consultation with the Council's Highway Engineer. In the response, the Engineer notes that the existing use of the barn will be replaced with vehicular movements for residents and visitors. By reducing the radii, the bell mouth can be narrowed, which is likely to encourage drivers to emerge with caution. There is onsite parking, and vehicles will be able to turn in a forward gear. The provided visibility splay drawing aligns to the carriageway geometry and there appear to be 'Slow' road markings and 3-2-1 strips on the adjacent carriageway at intervals to the village threshold. As such, the Engineer raises no objection to the proposal on grounds of highway safety and access, subject to conditions and informative notes on the decision.
- 16.41 The application proposes two parking spaces per dwelling and three visitor spaces. This level of provision accords with county wide parking guidance and is considered acceptable. The Highway Engineer notes that the development is vehicle reliant but there is capacity on site for the applicant to build in a cycle store facility, Ebike charging, and EV charging as standard.
- 16.42 In summary, the proposal is considered to comply with Policy I2: Improving accessibility and transport of the Purbeck Local Plan 2024.

Biodiversity Impacts

- 16.43 A Dorset Natural Environment Team approved (19/02/24) Biodiversity Plan has been submitted as part of the application and includes mitigation in respect of lighting, grass and scrub habitat creation, rural tree and hedgerow planting, and bird box installation. Subject to a condition requiring full implementation of the approved

Biodiversity Plan, the proposal is considered to accord with Policy E10: Biodiversity and geodiversity of the Purbeck Local Plan 2024.

- 16.44 In respect of Biodiversity Net Gain requirements, a Biodiversity Net Gain Statement and Metrics were submitted in August 2024. This shows limited baseline mitigation value (0.9 units) and identifies opportunities for onsite provision through hedgerow planting and additional grassland provision. There is a statutory requirement for a Biodiversity Gain Plan to be provided to the Council for approval prior to commencement so it is only necessary to add informative notes to the decision; the proposal is considered to comply with national 10% BNG requirements.
- 16.45 In accordance with the ruling of ECJ C-323/17 People Over Wind, Sweetman v Coillte Teoranta, the Council is required to undertake an Appropriate Assessment (AA) in accordance with Regulation 63 as there is the potential for the development to affect Habitat Sites. The AA is to enable full consideration of the proposed development and any likely adverse effects on the integrity of European and internationally designated Dorset Heathland sites, which may remain if avoidance / mitigation measures are carried out as proposed. The site is located outside the Poole Harbour Catchment Areas for nutrient neutrality and recreational pressures. An AA has been undertaken in advance of the planning application being determined by the Council. This shows that suitable heathland mitigation measures can be secured through CIL and adherence to the Dorset Heathlands Planning Framework SPD to address likely adverse effects on the integrity of heathland sites. The proposal is therefore acceptable in this respect and Policies E7: Conservation of protected sites and E8: Dorset heathlands of the Purbeck Local Plan 2024.
- 16.46 An EIA Screening has been undertaken due to the siting of the proposed dwelling within the 'sensitive' Dorset AONB area. This has concluded that there are no likely significant effects resulting from the residential development within the settlement boundary.

Flood risk and drainage

- 16.47 The application site is located in Flood Zone 1 and outside areas of surface water and groundwater flood risk (as identified on the Dorset Level 1 Strategic Flood Risk Assessment 2024 mapping). The submitted Design and Access Statement and application form advise that some grey water recycling will occur for irrigation and surplus water will be discharged to a soakaway. Given the low levels of flood risk to the site and the pre-existing building it is considered that the proposal will not increase flood risk and accords with Policy E4: Assessing flood risk.

Site contamination

- 16.48 The application site and building have a historic use relating to agriculture and B8 storage, and land contamination is a potential issue.
- 16.49 The previous application was subject of consultation with the Council's Environmental Protection Officer who has advise that a contaminated land investigation and remediation condition should be included if permission is granted, in addition to an unexpected contamination condition to ensure that any previously unidentified contamination can be adequately dealt with should it arise as works

progress. Although not consulted on the current application, the position remains unaltered, and the required conditions will be included on any decision.

Housing Delivery Test

16.50 On 26 September, after the committee agenda was finalised, the Planning Inspectorate's report on the Council's 5-year housing land supply position statement was received. This confirmed that, using the standard method, in line with paragraph 77 of the NPPF, Dorset Council has a 5.02-year supply for the Dorset area. As there is now a confirmed 5-year housing land supply, the Council's housing policies are up to date and the tilted balance is no longer engaged.

17.0 Conclusion

Although the proposal has overcome the previous reasons for refusal in relation to its impact on the Dorset National Landscape and highway safety, the change to the Council's published Housing Land Supply position means that weight can be given to the Council's housing policies.

The application site is in an unsustainable location outside any settlement boundary so fails to accord with policy V1 of the Purbeck Local Plan 2024. The benefits of the scheme include the opportunity to secure an affordable housing contribution, but no material circumstances that outweigh the harm arising from the development of three isolated homes in the countryside have been identified, so the application cannot be recommended for approval.

Recommendation:

Refuse for the following reason:

1. The proposal, by reason of its siting outside the settlement boundary of a small village with a limited range of facilities and within the countryside, would not promote sustainable and accessible development or provide rural housing in a location where it would enhance or maintain the vitality of rural communities. As such, the proposal is contrary to Policy V1: Spatial strategy for sustainable communities of the Purbeck Local Plan 2024 and paragraphs 82 – 84 of the National Planning Policy Framework.

Informative Notes:

1. The plans that were considered by the Council in making this decision are:

LP01 P3 Location Plan

BP01 P3 Existing Block Plan

SL01 P5 Proposed Block Plan

FP01 P4 Proposed Floor Plans

E01 P4 Proposed Elevations

MM01 P3 Massing Model

6082/001 Access Visibility Plan

AC01 P1 Area Calculations 01

AC02 P1 Area Calculations 02

2. If planning permission is subsequently granted for this development at appeal, it will be subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice will then be issued by the Council that requires a financial payment, full details of which will be explained in the notice.

3. National Planning Policy Framework

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 was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these concerns.