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Application Number:	P/HOU/2024/02924		
Webpage:	Planning application: P/HOU/2024/02924 - dorsetforyou.com		
Site address:	Dunromin, Uddens Drive, Colehill, BH21 7BJ		
Proposal:	Proposed alterations to dwelling		
Applicant name:	Mr and Mrs Cooper		
Case Officer:	James Brightman		
Ward Member(s):	Cllr Lugg, Cllr Parkes & Cllr Chakawhata		
Publicity expiry date:	26 June 2024	Officer site visit date:	Visited during previous application
Decision due date:	30 September 2024	Ext(s) of time:	30 September 2024
No of Site Notices:	1 at site access		
SN displayed reasoning:	To notify the public of the application		

1.0 The application comes to committee at the request of the Chair of the Eastern Area Planning Committee

2.0 Summary of recommendation:

The application is recommended for approval subject to conditions.

3.0 Reason for the recommendation: as set out in paras 17.1 & 17.2 at end

- The proposal accords with Green Belt policy
- The proposal would improve the flood risk resilience of the dwelling
- There would be no harm to the character of the area and the design is acceptable
- There would be no harm to the amenity of the occupants of the nearest dwellings
- There would be no harm to protected species
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable – extension to lawful dwelling.
Impact on the Green Belt	Acceptable – extensions proposed are not disproportionate to the original building and are appropriate development accordingly
Scale, design, impact on character and appearance	Acceptable – proposal would improve appearance of the lawful dwelling and have no adverse impact on the character and appearance of the area
Impact on the living conditions of the occupants of neighbouring properties	Acceptable – proposal adequate distance from neighbours to prevent harm to amenity and no additional traffic generation when new accommodation occupied
Flood risk	Acceptable – householder development and Flood Risk Assessment submitted with flooding resilience measures that would improve the existing dwelling's flood resilience
Highway impact	Acceptable – No material impact on highway safety
Biodiversity	Acceptable – Biodiversity Checklist & Preliminary Roost Assessment (bats) show no harm to protected species

5.0 Description of Site

- 5.1 The site is in the countryside and Green Belt and within flood zones 2 & 3 of the adjacent Uddens Water watercourse. It is accessed via an untarmacked track that also serves a small number of dwellings and some businesses.
- 5.2 The Council's Strategic Flood Risk Assessment (SFRA) identifies that the dwelling that it is proposed to extend is on land at risk of surface water flooding in a 1:30, 1:100 & 1:1000 year event. The site is not recorded as being susceptible to high groundwater levels.
- 5.3 There are two timber clad buildings at the site, one of which has a mobile home physically attached to its west elevation (the dwelling it is proposed to extend) and this combined structure benefits from a Certificate of Lawful use under application P/CLE/2022/00230, granted on 04/08/2023 so that the existing use of the building as a single residential unit is lawful. The lawful residential use applies to all existing ancillary outbuildings, walls, piers, gates and fences, together with the package treatment plant and drainage ditch/culvert at the site.

6.0 Description of Development

- 6.1 As originally submitted it was proposed to extend the lawful dwelling and also the adjacent domestic outbuilding. The extensions to the outbuilding have since been removed from the application.
- 6.2 The proposal would replace the former caravan element of the dwelling and extend the original building to the west and south. The ridge of the extension will rise above the existing ridge of the original building by 0.6m.
- 6.3 The walls of the extension are to be clad with horizontal timber and the roof with timber shingle roof tiles. Timber windows and doors are proposed

7.0 Relevant Planning History

03/02/1082/FUL - Decision: GRANTED - Decision Date: 25/09/2002 - Sand Exercise Area (Retrospective).

03/99/1165/FUL - Decision: GRANTED - Decision Date: 15/06/2000 - Four Stables With Base & Haystore (No Base) As amended by plans rec'd 02 June 00

NB: This is the building that has subsequently obtained lawfulness as a dwelling and is the 'original' building for the purposes of para 154 of the NPPF and Annex 2: Glossary of the NPPF

P/HOU/2023/06948 - Decision: REFUSED - Decision Date: 25/03/2024 - Proposed alterations and extensions to dwelling and extension to domestic outbuilding.

Refused on account of the extensions being disproportionate to the dwelling. Currently pending an appeal decision

8.0 List of Constraints

Dorset heathlands - 400m heathland buffer, Description: Holt & West Moors Heaths

Right of Way: Footpath E42/28; - Distance: 1.88

Right of Way: Footpath E45/16; - Distance: 3.44

National Grid Pipeline [75m buffer each side];

SGN - High pressure gas pipeline 150m or less from Regional High Pressure Pipelines (>7 bar);

SGN - High pressure gas pipeline 1km or less from Regional High Pressure Pipelines (>7 bar);

Higher Potential ecological network

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 4168.55

Site of Special Scientific Interest (SSSI) impact risk zone;

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Bournemouth Greenbelt;

Flood Zone 3, 3a & 3b (indicative)

Flood Zone 2

Risk of Surface Water Flooding Extent 1 in 30

Risk of Surface Water Flooding Extent 1 in 100 & 1 in 100 year event plus 20% & 40% allowances

Risk of Surface Water Flooding Extent 1 in 1000

Minerals and Waste Safeguarding Area

Minerals and Waste - Sand and Gravel

RAD - Radon: Class: Class 1: Less than 1%

9.0 Consultations

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

Consultees

1. **National Grid Plant Protection** – No objection
2. **Southern Gas Networks** – No assets affected by proposals
3. **Ward members from Ferndown North and Stour & Allen Vale Ward** – No comments received
4. **Ferndown Town Council** – Object
 - Objection to what appears to be new, permanent living accommodation and the change of land use, from equestrian to domestic property, in this location (Green Belt and Holt Heath SSSI).
 - Objection to the layout, design, height and density of the proposed buildings.
 - Concerns raised regarding flood risk in the area, the effect this would have on the sewage system and how this could impact Holt Heath (SSSI).
5. **Holt Parish Council** – Object
 - The proposal is in principle the creation of a new dwelling & a change of use from an equestrian to a domestic property which is inappropriate in this location (Green Belt & Holt Heath SSSI).
 - Huge increase in the footprint of the habitable space from a caravan to a substantial house and the increase in height is a concern.

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- Query that if the stables are no longer required then justification for the caravan no longer exists.
- From our local knowledge, sewerage is compromised by flooding in this area and concerned with the impact this has on the SSSI.
- Comments of Southern Gas Networks noted as the proposed works are in close proximity to a pipeline.

Representations received

Objections	No Objections	Comments
4	0	0

Summary of comments of objections:

- concerns that proposal will be a rebuild
- disturbance from use of access track
- roof height excessive
- site in high flood risk zone
- substantial increase in residential accommodation an excessive addition to the original permission
- impact on openness of area
- poor design
- adverse impact on infrastructure and quiet rural character of area

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

Adopted Christchurch and East Dorset Local Plan 2014:

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

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KS1 - Presumption in favour of sustainable development

KS3 - Green Belt

KS11 - Transport and Development

KS12 - Parking Provision

HE2- Design of new development

HE3 - Landscape Quality

ME1 - Safeguarding biodiversity and geodiversity

ME6 - Flood Management, Mitigation and Defence

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 draft 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.

Emerging Neighbourhood Plans

None relevant.

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 13 'Protecting Green Belt Land'. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Para 143. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Para 152 - Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 153 - When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Para 154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions are:

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
- 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.

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

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 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.

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 proposal will not disadvantage persons with protected characteristics.

14.0 Financial benefits

None

15.0 Environmental Implications

Limited emissions and disturbance from construction.

16.0 Planning Assessment

Principle of development

16.1 The principle of development is acceptable as the proposal is for proportionate extensions to an existing dwelling in the countryside.

Impact on the Green Belt

16.2 The stables and utility part of the building was approved under planning permission 03/99/1165/FUL and this is the original building for the purposes of the assessment of whether previous and proposed extensions would cumulatively be disproportionate to the original building in respect of NPPF paragraph 154 c). The original building had a Gross Floor Area (GFA) of 87sq metres.

16.3 The mobile home/caravan that has been attached to this building is considered to be an extension to the original building as it is physically attached and has an internal access to it (as considered during the assessment of P/CLE/2022/00230).

16.4 The original building has already been extended by 42 sq metres. The proposed extension would replace the existing extension and add a floor area of 44 sq metres to the original building. This would result in the GFA of extensions to the original building equating to an 50.5% increase in gross floor area.

16.5 The massing would represent an increase of approx. 71% of the original which might in other instances be considered excessive, but when considering the form, notwithstanding the modest height increase, the extension is considered to represent a proportionate addition to the original building and is therefore appropriate development in the GB under NPPF paragraph 154 c).

16.6 As appropriate development, the proposed extension to the stables, bunkhouse, utility and caravan building accords with NPPF Green Belt policy.

Scale, design, impact on character and appearance

16.7 The removal of the existing extension formed from a mobile home would be a visual benefit and the proposed extensions are of an appropriate scale and design for this

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rural location. The use of wood cladding to match the existing and wood shingle tiles can be secured by condition (no. 5). No adverse impact on the character of the area is anticipated so the proposal accords with policy HE2.

Impact on living conditions of occupants of neighbouring properties

- 16.8 There are no dwellings that are close to the proposed extensions and there would be no adverse impacts on occupants of the nearest dwellings as a result.

Flood risk

- 16.9 The site lies in river flood zones 3a and 3b (indicative functional floodplain) of the adjacent Uddens Water which are high risk flood areas, as well as in an area identified as at risk of surface water flooding in a 1:30, 1:100 & 1:1000 year event. This has been ascertained using the Dorset Council Level 1 Strategic Flood Risk Assessment February 2023.
- 16.10 A Flood Risk Assessment (FRA) has been submitted. The proposals represent 'householder development' and on this basis should not be subject to the sequential or exception flooding tests in line with NPPF footnote 60 and paragraph 174.
- 16.11 The proposed extension footprint of 44 sq metres represents a minor extension (less than 250 square metres) and the Environment Agency (EA) Standing Advice [Preparing a flood risk assessment: standing advice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/preparing-a-flood-risk-assessment-standing-advice) has been used to assess the application as set out in the Planning Practice Guidance (PPG).
- 16.12 The FRA concludes that through the mitigation methods identified, the development will result in a significant betterment over the existing situation (of a lawful dwelling comprising a timber building with attached mobile home) and shall be robustly protected from flooding.
- 16.13 To overcome the identified susceptibility to river flooding the FRA recommends that: all external doors below design flood level are flood doors; that all residents are issued a personal flood plan; that the dwelling is subscribed to the EA's flood warning service; and that flood resistant materials and construction techniques are implemented.
- 16.14 With these measures in place secured by condition 4, it is considered that the proposal accords with Core Strategy Policy ME6 and the policy set out in Section 14 of the NPPF.

Highway impact

- 16.15 No changes to the site access are proposed and there would be no intensification of use of the site as no additional dwellings are proposed. The site offers appropriate

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off-road parking. No adverse impact on highway safety would result so there is no conflict with policies KS11 and KS12.

Biodiversity

- 16.16 The application is supported by a Biodiversity Checklist and Preliminary Roost Appraisal (PRA) for bats. The PRA advises that the buildings have negligible potential for bats and nesting birds and no further survey work is required. This satisfies the Dorset Biodiversity Appraisal Protocol and Policy ME1 of the Core Strategy.
- 16.17 Biodiversity enhancement will be provided by the installation of a bat box on a tree or the gable end of the existing dwelling secured by condition 3.

17.0 Conclusion

- 17.1 The proposal is appropriate development in the Green Belt, of an acceptable design and acceptable in respect of its impacts on the character and appearance of the area; nearby properties, from flooding; on highway safety and on biodiversity.
- 17.2 The proposal is judged to comply with policies KS1, HE2, ME1 & ME6 of the Core Strategy and policies relating to Green Belt, Biodiversity and Flood Risk in the National Planning Policy Framework.

18.0 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:

Paul Day Architectural Designs Ltd Drawing No. 7427-02A dated 26/09/24.

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

3. Prior to occupation of the accommodation hereby approved, a bat box shall be attached to a suitable tree or the gable end of the existing dwelling and photographs provided to the Local Planning Authority. The bat box shall be retained for the lifetime of the development.

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Reason: To provide biodiversity gain.

4. The development shall be constructed to incorporate the proposed flood risk mitigation measures set out in Section 4 of the submitted Enviren Flood Risk Assessment ref: 2300326-FRA dated 26/2/24 which shall be retained for the lifetime of the development unless any minor variation to these has been agreed in writing by the Local Planning Authority.

Reason: To reduce flood risk to the dwelling.

5. The external materials to be used for the walls shall be horizontal timber to match the existing building and the roof tiles shall be timber shingle.

Reason: To ensure a satisfactory visual appearance of the development.

Informative Notes:

1. In the unlikely event of bats being found using this structure or any other on the property by anyone before or during the proposed development works then those carrying out the works must stop immediately and contact Abbas Ecology on 01305 889855.
2. In respect of Condition 3, the applicant is advised that a suitable bat box can be found here (as recommended in the submitted Preliminary Roost Appraisal) <https://www.wildcare.co.uk/beaumaris-bat-box.html>
3. 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 applicants/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.
4. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

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5. The applicant is advised to implement measures to minimise the risks of deleterious or polluting materials and detrimental effects to the adjacent watercourse and the site. The applicant should refer to Pollution Prevention Guidelines ([Withdrawn] Works in, near or over watercourses, PPG5: prevent pollution - GOV.UK (www.gov.uk))