

Officer Report

Application Number:	P/FUL/2023/02064		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Morden Mill and Farmhouse Morden Park Corner BH20 7DJ		
Proposal:	Enabling residential development of 16 dwellings to facilitate restoration of listed farmhouse and mill building		
Applicant name:	Smartin Developments Limited		
Case Officer:	Thomas Whild		
Ward Member(s):	Cllr Brenton, Cllr Robinson and Cllr Starr		
Publicity expiry date:	15 May 2024	Officer site visit date:	29 October 2024

1.0 The application is being referred to the planning committee as the case officer's recommendation is contrary to the views of the parish council and ward members.

2.0 Summary of recommendation:

A) To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to issue planning permission following referral to the Secretary of State for Housing Communities and Local Government and completion of a S106 Planning Obligation.

or

B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 27 August 2025 or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East

3.0 Reason recommendation A: as set out in paras 17.1 – 17.5 at end

- The development comprises 'enabling development' which will facilitate a significant heritage benefit in the restoration of heritage assets which are currently in a poor state of repair.
- The benefits which will be delivered by the enabling development are substantial and carry sufficient weight to justify the grant of planning permission which would otherwise be contrary to the development plan by way of its remote and unsustainable rural location.

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- The benefits which will be delivered by the ‘enabling development’ are also of sufficient weight to constitute Very Special Circumstances to justify inappropriate development in the Green Belt.
- The proposal would represent a good quality of design and would avoid harmful impacts upon heritage assets, the landscape character, highways, flood risk and biodiversity and would provide for mitigation for impacts upon protected habitats.
- It is considered that the benefits of the scheme clearly outweigh the harm to the Green Belt and any other harm as set out in the officer report.

Reason for recommendation B (as set out in paras 17.1 – 17.5 at end)

- In the absence of a legally binding mechanism to ensure the delivery of the agreed works the heritage assets the benefits of the scheme would not clearly outweigh harm to the Green Belt and any other harm as set out in the officer report.

4.0 Key planning issues

Issue	Conclusion
Principle of development	<p>The site is in a remote location where new housing development is not normally supported and would be contrary to the spatial strategy established in the development plan. The proposal also constitutes inappropriate development in the green belt.</p> <p>The development is proposed as ‘enabling development’ which has been justified through viability testing and which would deliver enhancement of heritage assets.</p>
Impact on heritage assets	While the proposal would sit within the setting of listed buildings on the site it is concluded that, when the benefits that the scheme would provide for are taken into account, there would not be any harm to heritage assets as a result of the proposals.
Design and character	The proposals are acceptable in terms of their design and relationship to the character of the area.

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Landscape and visual impacts	The proposals are supported by a landscape and visual impact assessment which confirms there would be negligible or slight impacts on the landscape only. It is considered that the proposals would not result in harm to the local landscape.
Flood risk and drainage	The proposed houses would not be in an area at risk of flooding. The access to the site does pass through an area at risk of flooding, but an acceptable scheme for flood management has been proposed which will ensure that the development remains safe. The sequential test has been passed.
Highways access and parking	Subject to the imposition of appropriate conditions the proposals will not result in unacceptable highways impacts.
Affordable housing	Based on the viability evidence provided, to justify that the enabling development is the minimum development necessary to restore the heritage assets, it is not considered that affordable housing provision would be appropriate in this instance.
Biodiversity and habitats	The development would not result in unacceptable impacts to protected species and impacts to on-site habitats will be appropriately mitigated. Impacts on European Sites will be mitigated through the purchase of nitrogen credits and through CIL.
Planning balance and Very Special Circumstances	The benefits of securing the restoration of heritage assets are considered to carry substantial weight which justifies a departure from the development plan in this instance. These benefits are also considered to represent Very Special Circumstances that clearly outweigh the harm the harm to the green belt and any other harm.

5.0 Description of Site

- 5.1 The application site comprises an irregularly shaped parcel of land on the northern side of the A35, from which access to the site is taken. The site is located within the open countryside approximately 600m to the west of the Morden Park Corner

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crossroads and approximately 850m to the southwest of East Morden. In addition to being within the countryside, the site is within the Southeast Dorset Green Belt.

- 5.2 The site extends to an area of 2.6 hectares, with access from the northern side of the A35. There are three buildings in the southern part of the application site, comprising the Grade II listed mill building, the Grade II listed farmhouse and a stable block which has recently been converted to a pair of dwellings. The mill and farmhouse date to the 18th century and are of red brick construction. The planning and listed building consent for the conversion of the stable block also includes works to the Mill and Farmhouse, although these have not yet been carried out, with those buildings standing in a state of dilapidation.
- 5.3 There is a man-made mill pond located to the western side of the mill which extends out to and beyond the western boundary of the application site. The western boundary of the application site is defined by a recently installed boardwalk across the mill pond. A sluice drains from the northern bank of the mill pond to a stream which flows across the site before rejoining the mill race to the east of the farmhouse and exiting the eastern side of the site, after which the watercourse turns to the south, flowing beneath the A35 and into a lake in the parkland to the south.
- 5.4 The main route through the site passes centrally through the site on a broadly north-south axis. The levels fall away relatively steeply from the level of the road with the mill and farmhouse being set at the lowest point of the site. The access route passes between these buildings and after crossing the mill stream the land levels rise steeply through the central part of the site which is heavily wooded before emerging into an open field where the currently proposed development is to be located.
- 5.5 The field is open pastureland and is defined by significant tree lines on the western and southern boundaries. The northern boundary is more open, being defined by a post and wire fence, with some trees and sparse hedges on the edge of the site. The field rises from the south to its highest point at the northern boundary of the site. There is a pond in the southeastern corner of the field.
- 5.6 The land immediately to the south and east of the site is woodland, comprising a mix of natural woodland (including areas of ancient woodland) and plantation. Land to the north is open farmland while the east is a mix of open farmland, wooded areas and the eastern part of the millpond. Land levels continue to rise to the north before falling away towards East Morden and West Morden.

6.0 Description of Development

- 6.1 The application seeks planning consent for the construction of 16 dwellings. The dwellings comprise a mix of three- and four-bedroom housing in the field at the northern part of the site, together with associated car barns, ancillary structures and landscaping. The development site will be accessed via the existing route through the site from the A35 and past the listed buildings.
- 6.2 The dwellings are arranged around two informal courtyard areas formed within the field, with most of the houses facing onto these courtyards or onto the access drive.

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Three of houses in the eastern part of the site would face onto the pond, effectively forming a group with house 1 on the opposite side of the access road.

- 6.3 The houses are designed to reflect the site's rural character and are influenced by the design of the listed buildings and stable block in terms of their overall form and use of materials. The designs comprise a mix of traditional domestic forms, and forms which are reminiscent of converted agricultural buildings. House 2 and house 9 have the appearance of converted barns, while houses 4 and 5 have the appearance of a converted coach house or stable block. There is also a mix of detached, semi-detached and terraced house types. The applicant explains that the site is designed to have the appearance of having grown and developed organically over time and has therefore sought to avoid reliance on more generic house types.
- 6.4 The proposals include three car barns. A small car barn with four parking bays is located on the western side of the access road, after unit 1 and provides parking for that unit and unit 2. The other car barns are larger, providing space for 6 and 8 cars, respectively. These larger car barns are each located on the eastern side of the informal courtyards. The car barns include integral storage areas and are designed with an agrarian character, featuring timber framing, with waney edged cladding to the walls and cropped gables.
- 6.5 Units 14 to 16 also include garden rooms formed as a relatively simple lean-to structure against the rear retaining walls to the gardens of those units. These have a simple brick and timber cladding construction with a pent roof. The change in levels of each of these is such that the rear wall would primarily be comprised of retaining structures and would not appear above the rear boundary walls of those units. An overall summary of the accommodation to be provided is set out in the table below:

Unit	Number of bedrooms	Car parking	Other provision
1 – farmhouse style	4	Spaces within car barn 3	-
2 – barn style	4	Spaces within car barn 3	-
3 – coach house style	4	Spaces within car barn 1 & surface	-
4 – coach house style	4	Spaces within car barn 1 & surface	-
5 – semi-detached farmhouse style	4	Spaces within car barn 1 & surface	-
6 – semi-detached farmhouse style	3	Spaces within car barn 1 & surface	-
7 – farmhouse style, 1.5 storey	4	Spaces within car barn 1 & surface	-
8 – barn style	4	Space within car barn 1 & surface	-
9 – terraced cottage style	4	Space within car barn 2 & surface	-

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10 - terraced cottage style	4	Space within car barn 2 & surface	
11 - terraced cottage style	3	Space within car barn 2 & surface	
12 - terraced cottage style	3	Space within car barn 2 & surface	
13 - terraced cottage style	4	Space within car barn 2 & surface	
14 – waterfront	4	Space within car barn 2 & surface	Garden room
15 – waterfront	4	Space within car barn 2 & surface	Garden room
16 – waterfront	4	Space within car barn 2 & surface	Garden room

- 6.6 The site includes landscaping which reinforces the existing natural boundaries of the site, through additional planting and the creation of an ecological buffer around the edges of the site. Internally the landscaping remains relatively informal, reflecting the rural character of the site, with surfacing in unbound gravel and setts, and informal tree and shrub planting throughout the site.
- 6.7 The development is proposed as a form of ‘enabling development’ which is intended to fund the renovation of the listed farmhouse and mill in accordance with previous approvals of planning and listed building consent. The applicant has engaged in pre-application discussions and submitted detailed viability information to justify the necessity for the development and the quantum of development proposed.

7.0 Relevant Planning History***Planning and listed building applications***

- 6/2019/0664 -Decision: GRA -Decision Date: 22/05/2020 -Alterations and additions to refurbish farmhouse. Restoration of former Water Mill Building. Conversion of rural outbuilding / stable block to 2 residential units.
- 6/2019/0665 - Decision: GRA - Decision Date: 22/05/2020 - Alterations and additions to refurbish farmhouse. Restoration of former Water Mill Building. Conversion of rural outbuilding / stable block to 2 residential units
- PAP/2020/0057 - Decision: RES - Decision Date: 22/12/2020 - Refurbish Farmhouse and convert mill to residential use

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- Confirmed that the heritage value of the mill is sufficient to justify that the principle of enabling development could be considered acceptable subject to further details and a full assessment including
 - Independent assessment financial viability identifying a conservation deficit
 - Enabling development in a location which minimises impacts on the green belt, meets flood risk exceptions and sequential tests, avoids harm to trees and is acceptable in relation to mineral extraction
 - An exceptional design which would conserve and enhance the heritage assets of the site and help to raise standards of design more generally.
 - A legal agreement to secure the conservation works and future management of the site.
- P/PAP/2021/00381 - Decision: RES - Decision Date: 18/02/2022 - Enabling residential development of approx. 16 dwellings to facilitate restoration of the Listed Farmhouse and Mill
 - Advice included confirmed the extent of the conservation deficit and overall quantum of enabling development required.
 - Advised that any recommendation would be finely balanced but likely possible to support the principle of the development
 - Support given for the overall approach to the design and layout with some concerns raised over detailing.
 - Confirmed need to address technical issues in respect of access, drainage, biodiversity and waste collection.

Tree work applications

- TWA/2018/246- Decision: TN - Decision Date: 16/01/2019 - All willow and alder growing in flat bottom of old mill pond - fell and clear stumps of all trees (trees on edge of pond on higher ground will be retained) - Morden Conservation Area
 - TWA/2021/067-Decision: TN - Decision Date: 29/07/2021 -T1 Ash - Fell. Morden Conservation Area
 - P/TRC/2022/03309 - Decision: TN - Decision Date: 27/06/2022G1 Ash - Fell to ground level.
- P/TCO/2022/05553 - Decision: TN - Decision Date: 22/09/2022 - Felling Licence Consultation - Morden Mill

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- P/TRD/2022/06036 - Decision: TG -Decision Date: 04/10/2022Dead English Oak - Fell.

Consultations

- P/TEA/2024/01363 - Decision: NOB- Decision Date: 27/03/2024Regulation 5 notification: To install 1 x 9metre light pole

8.0 List of Constraints

Grade: II Listed Building: MORDEN MILL FARMHOUSE, List Entry: 1171768.0 and MORDEN MILL List Entry: 1120564.0

Morden Conservation Area

Poole Harbour Nutrient Catchment Area

Wessex Water Treatment Works Catchment

Right of Way: Bridleway SE19/24; - Distance: 17.62

DESI - Dorset Council Land (NULL): NULL - Reference LIN001286 - Distance: 0

Ancient Woodland: MORDEN PARK; Ancient & Semi-Natural Woodland (Distance: 339.2), EAST MORDEN WITHY BED; Ancient & Semi-Natural Woodland (Distance: 383.63) and EAST MORDEN WITHY BED; Ancient Replanted Woodland – (Distance: 379.56)

Existing ecological network - Higher Potential ecological network Wildlife Present: S41 - Eurasian Otter; - Distance: 0

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

Dorset Heathlands - 5km Heathland Buffer

Bournemouth Greenbelt

Groundwater – Susceptibility to flooding

Flood Risk Zone 3a - Distance: 0, Zone 3b (indicative), Flood Zone 2

Risk of Surface Water Flooding Extent 1 in 30, 1 in 100 and 1 in 1000 - Distance: 0

Surface water flooding - 1 in 100-year event plus 20% allowance and 40% allowance

Minerals and Waste Safeguarding Area, Ball Clay Consultation Area - Name: 8; (Distance: 6.72) And Sand and Gravel (Distance: 0)

Radon: Class 1: Less than 1% and Class 3: 3 - 5% - Distance: 0

ONR winfrith_magnox_12km_zone and_tradebe_inutec_12km_zone -

9.0 Consultations

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

Consultees

1. DC – Landscape

Initial Comment, 9 June 2023

Holding objection pending the submission of an LVIA; long/cross sections and proposed levels and details of retaining structures; clarification of surface materials; maintenance and management arrangements of common areas; changes to planting; resolution of disabled access and bin storage.

Further comment 5 December 2023

Unable to provide fully detailed response but the LVIA's conclusions appear robust, and its conclusions may be relied upon. The fact that the conservation officer is content with the scheme reduces any concerns over impact on setting of heritage assets. Standard conditions should be imposed with regard to implementation of landscaping.

2. DC - Rights of Way Officer

No objection. Suggest that the right of way should have some improvements made to it with the assistance of the developer.

3. DC - Highways

Initial comments

DEFER for submission of further information. Issues identified:

- Evidence of historical traffic movements within AM and PM peaks needed
- Updated speed survey data needed as submitted data is dated.
- Maximum visibility splays for the speed limit should be provided and should consider vertical alignment.
- A stage 1 road safety audit is required in respect of the junction and impact of any potential queueing for the right hand turn into the development.

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- Although not adopted the estate road should have 20mph design speed controls with due regard to inclusive mobility and suitable car parking provision for residents and visitors.

Comments – 5 September 2024

On balance the submitted transport statement and additional technical information is satisfactory and robust and residual cumulative impacts of the development cannot be thought to be 'severe' when consideration is given to paragraphs 114 and 115 of the NPPF. Conditions recommended in respect of:

- Completion of the junction and first 20m of access road
- Construction of the estate road
- Completion of junction works (Grampian Condition)
- Provision and retention of visibility splays
- Precise details of electric gates to be submitted
- Setting back of gates
- Gate access management plan
- Construction traffic management plan

4. DC - Minerals & Waste Policy

The mineral safeguarding requirement is waived and no objection is raised to the proposal.

5. DC - Conservation Officers

No objection, subject to conditions to mitigate the visibility of the development from the access road and to limit visibility of the sewage treatment plant.

The impact of the proposals on the setting of the listed buildings would be minor and would not result in overall harm to heritage assts.

6. DC - Flood Risk Management

Initial Comments – 3 May 2023

The flood risk to the development area is low but there is a high probability of flooding to the access road servicing the proposed development.

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The submitted FRA does not assess the risk of flooding to the access road and safe access and escape routes have not been demonstrated – this cannot be conditioned and further information is required in respect of flood depths velocities and hazard categories for a range of return periods and all applicable sources of flooding.

Comments – 14 November 2023

Notes that the Environment Agency has raised concerns in respect of flood risk to the access road, and that the EA's flood extents are greater than surface water flood extents so LLFA considers that it is prudent to allow the EA to lead on the assessment of flood risk to the access road. Therefore recommended that the application is referred back to the EA for comment.

Comments 15 December 2023

Noted that the EA has removed its previous holding objection. However holding objection pending the resolution of issues in respect of the design and suitability of the access drive.

Comments 31 January 2024

The submitted information since the assessment on 15 December do not address flood or surface water drainage and therefore holding objection remains.

Comments 28 February 2024

Further amendments and modelling have demonstrated that with mitigation works the access road is not liable to flooding for all events up to 1 in 100. There will be some flooding for the 1 in 100 year event when climate change is taken into consideration, but inundation would have a low probability and a short period, with potential for a flood warning and evacuation plan to be provided. The proposal is therefore acceptable, subject to conditions.

7. Kaolin and Ball Clay Association

No comments received

8. P - Morden Parish Council

Object, raising the following issues:

- Effect on listed buildings, considerable impact on the landscape and the green belt

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- Significant change to the rural character and creation of a 'closed-off' development which is reliant upon car usage.
- Highway safety
- Flood risk
- Proposal would not meet the housing needs of the village
- Impacts on wildlife, protected sites and biodiversity.

9. DC - Building Control Purbeck Team

Careful consideration of requirements of part B5 required. All other building control matters to be dealt with at time of application.

10. DC - Trees (East & Purbeck)

Recommend that clarity is sought in respect of the treatment of the ecological buffer. Otherwise no objection subject to conditions requiring a pre-commencement site meeting with the tree officer and the implementation of tree protection works as detailed.

11. Dorset Wildlife Trust

No comments received

12. Ramblers Association

No comments received

13. Wessex Water

Notes that the surface water drainage is to a local land drainage system in accordance with the SUDS hierarchy – defers to the LLFA to agree the surface water strategy.

Confirms that there are no foul sewers available for connection in the local vicinity of the site. The private package treatment works will require the approval of the Environment Agency.

The nearest public water main supply is to the northwest in Whitefield, or northeast in East Morden. Individual dwellings will require their own customer meter and connection to the water main. The developer is advised to contact Wessex Water as early as possible to investigate options for the water supply

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which may require a new water main extended within nearest public highways.

14. Natural England

No objection following receipt of updated Appropriate Assessment. Condition recommended requiring that water usage is limited to 110l per person per day as set out in the completed nutrient calculator.

15. Nuclear Restoration Services (NRS)

No comments received.

16. Lytchett Matravers and Upton Ward Councillor (Cllr Brenton)

Object – the business case is flawed, 16 properties for sale will produce far more capital than is needed. This is in Green Belt and is not a sustainable location. It is isolated from any village so all facilities will be accessed by car.

17. Lytchett Matravers and Upton Ward (Cllr Starr)

Object. I would have thought that 16 houses is an excessive number to provide the funds required to restore the mill. I am also against the creation of an isolated housing estate devoid of any service and in no way sustainable. Particularly in the green belt.

18. W - Lytchett Matravers and Upton Ward (Cllr Pipe)

No response received.

19. Dorset Police Architectural Liaison Officer

No response received.

20. Environment Agency

Comments 23 June 2023

Object – the FRA does not comply with the requirements for site specific flood risk assessments as set out in the PPG and should consider flood hazards, emergency flood planning and climate change. Reliance on national generalised mapping is not sufficient in this instance.

Additionally the proposals will need to pass the sequential and exceptions tests.

Comments 1 December 2023

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Objection withdrawn, subject to the imposition of a condition requiring a construction environmental management plan.

The response notes that the EA has not been party to discussions with regard to hydraulic modelling but it is assumed that the LLFA has reviewed and accepted the model and on that basis would have confidence in the results provided.

21. Historic England

It appears that while the proposals would rescue the listed buildings from decay they would also cause a degree of harm to their tranquil, isolated setting, and a minor adverse impact on the rural character and appearance of the conservation area. It is for the Council to determine whether the adverse impact is a price worth paying and be completely convinced that the quantum of development is the minimum necessary to provide for the future of the listed buildings.

22. DC - Archaeology - Steve Wallis

No response received.

23. DC - Environmental Assessment

Confirmation that nutrient budget is acceptable and Appropriate Assessment completed.

24. DC – Waste team

Confirmed that waste collection points will be required within 10m of the defined turning area.

Representations received

- 9.2 The representations received include comments in objection to the proposals from two parish councillors and the Dorset Council for the Protection of Rural England (CPRE).

Summary of comments of objections:

- The proposal would be contrary to green belt policy
- Although the buildings of value should be preserved, this should not be at all costs.

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- The possibility of grant funding has not been fully explored
- Concern that the amount of development proposed exceeds the scale required for the enabling development of the historic buildings.
- There is no mention of how the new buildings will contribute to the mitigation of climate change.
- Disturbance to the watercourse which runs through the site, through sediments and nutrients.
- Flood risk
 - The only access is through the flood risk area.
 - The sewage treatment plant would be vulnerable to flooding.
- Highways impacts
 - Access directly on to the A35
 - High speeds and geometry of the road leading to hazard
 - Impacts on capacity of surrounding roads
- Car parking appears insufficient given that it relies upon garages which are likely to be used for storage, and taking into account the size of the dwellings proposed.
- Visibility of the site from nearby rights of way.
- Harm to biodiversity
 - Loss of bat foraging sites including rare species
 - Impacts on the river known to be home to native reptiles and otters
- The location is unsustainable and wholly reliant upon car travel.
- The development does not provide any smaller (2 bedroom) or affordable housing.
- Unavailability of viability information.
- The amount and size of the housing is not reflective of the surrounding hamlet.

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Summary of comments of support:

No comments have been received in support of the proposals.

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 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

11.0 Relevant Policies

Development Plan

Purbeck Local Plan 2018-2034, Adopted 2024. The following policies are considered to be of relevance to the proposals:

- V1 – Spatial strategy for sustainable communities
- V2 – Green belt
- E1 – Landscape
- E2 – Historic environment
- E4 – Assessing flood risk
- E5 – Sustainable drainage systems
- E7 – Conservation of protected sites
- E8 – Dorset heathlands
- E9 – Poole Harbour
- E10 – Biodiversity and geodiversity
- E12 – Design
- H9 – Housing mix
- H10 – Accessible and adaptable homes
- H11 – Affordable housing
- I2 – Improving accessibility and transport
- I3 – Green infrastructure, trees and hedgerows

Material Considerations

Emerging Local Plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

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- 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.

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. Footnote 7 of the framework states that these include policies relating to habitats sites and SSSIs, green belt, local green space, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.

Other relevant NPPF sections include:

Section 5 – delivering a sufficient supply of homes. Paragraphs 82 – 84 set out policies for rural housing. Paragraph 83 states that housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 84 states that isolated homes in the countryside should be avoided except in specific circumstances.

Section 9 – promoting sustainable transport. Paragraph 115 requires that applications for development should ensure that appropriate opportunities for sustainable transport modes can be taken up; safe and suitable access to the site can be achieved for all users; the design of streets parking areas and other areas reflects current national guidance. Paragraph 116 states development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or there would be severe residual cumulative impacts.

Section 12 – Achieving well designed and beautiful places. Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve and that

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good design is a key aspect of sustainable development. Paragraph 135 goes on to set specific criteria against which development proposals should be assessed.

Section 13 – Protecting Green Belt land. Paragraph 142 states the great importance that the Government attaches to green belts and paragraph 143 sets out the five purposes of green belts which are:

- 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.

Paragraph 153 sets out that inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances. Paragraph 153 goes on to state that substantial weight should be given to any harm to the green belt, and that very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. Paragraph 154 sets out that new buildings should be regarded as inappropriate development except in certain defined circumstances.

Section 14 – Meeting the challenge of climate change, flooding and coastal change. Paragraph 170 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where this cannot be done, development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraphs 172 and 173 require a sequential approach to the location of development. Paragraph 174 states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Where the Sequential Test can be passed, paragraphs 177 and 178 require the application of the exception test, informed by a site-specific flood risk assessment. Paragraph 182 requires the incorporation of sustainable drainage systems in major developments.

Section 15 – Conserving and enhancing the natural environment. Paragraph 193 states development should not be allowed if there would be significant harm to biodiversity. Paragraph 195 goes on to state that the presumption in favour of sustainable development does not apply where the project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that the integrity of the site would not be adversely affected.

Section 16 – Conserving and enhancing the historic environment. Paragraph 212 requires great weight to be given to the conservation of designated heritage assets, irrespective of the degree of potential harm, with paragraph 213 confirming that any harm to or loss of significance should require clear and convincing justification.

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Paragraph 209 states that where there is evidence of deliberate neglect of or damage to a heritage asset, the deteriorated state of the asset should not be taken into account in any decision.

Paragraph 214 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Other material considerations

Purbeck District Design Guide SPD

Morden Conservation Area Appraisal, January 2018.

Dorset Heathlands Planning Framework

Poole Harbour Recreation 2019-2024 SPD

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.

Historic England Good Practice Advice in Planning: 4 – Enabling Development and Heritage Assets.

Dorset Council Annual Position Statement – 5 Year Housing land supply – October 2024. The statement has been agreed with the planning inspectorate and confirms that the Council can demonstrate a housing land supply of 5.02 years.

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.

12.1 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

13.1 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: -

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- 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.

13.2 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. The proposals include measures to provide access to the dwellings through the use of level thresholds and stepless routes to a proportion of the units.

14.0 Financial benefits

What	Amount / value
Material Considerations	
Job creation during construction	Not quantified
Off-site biodiversity enhancements	£9,366.36
Non Material Considerations	
CIL Contributions	Approx. £112,000 plus indexation

15.0 Environmental Implications

15.1 The proposal would result in additional CO₂ emissions from occupants of the dwellings. To a certain extent such emissions are an unavoidable impact associated with the provision of new housing. The new houses would be constructed to modern building regulations which include requirements seeking to control energy usage, minimise the effects of overheating and provide charging facilities for electric vehicles.

15.2 Due to the site’s remote location and lack of public transport accessibility to the site, the proposals would be wholly reliant upon access by private motor vehicles. Trips to and from the site would contribute to additional CO₂ emissions.

16. Planning Assessment

16.1 Principle of development

Location of the site

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16.1.1 The site is in the countryside outside of any settlement boundary. The proposals would result in an isolated development which is not related to any neighbouring service centres. Therefore, the proposal would conflict with the spatial strategy for sustainable communities set out in policy V1 and the relevant supporting text. The site’s isolated location is considered to be inherently unsustainable and the development would also therefore result in conflict with section 2 of the NPPF, which seeks to achieve sustainable development, and with paragraphs 83 and 84 of the framework which seek to promote sustainable development in rural areas by locating new housing where it will enhance or maintain the vitality of rural communities and by avoiding the development of isolated homes in the countryside. The conflict with the development plan with regards to the site’s location and the spatial strategy are afforded **significant weight against the scheme** in the planning balance.

16.1.2 In October 2024, Dorset Council published its annual position statement for housing land supply, which has been confirmed with the planning inspectorate and which confirms that a 5 year supply of deliverable housing sites can be demonstrated. The most recent housing delivery test results have also confirmed that the Council has achieved housing delivery of 105% of the housing requirement over the previous three years. Therefore the ‘tilted balance’ set out in paragraph 11 of the framework is not engaged and relevant policies may be afforded their full weight in decision making.

16.1.3 Although, as the Council can demonstrate a 5-year housing land supply, the tilted balance does not apply, the proposals would still contribute positively to the overall supply of housing within Dorset. This is a benefit of the scheme which is afforded **moderate weight**.

Green Belt impacts

16.1.4 In addition to the site’s rural location the site also falls within the Southeast Dorset Green Belt. While policy V2 of the local plan has confirmed amendments to the boundary of the green belt, these affect specific site allocations in Lytchett Matravers and Upton in support of the Local Plan’s strategy for housing delivery. The green belt remains unaltered elsewhere. Policy V2 does not seek to provide additional restrictions or criteria for the assessment of development proposals in the green belt and therefore the proposals fall to be considered against the criteria of the NPPF.

16.1.5 Paragraph 154 states that development in the green belt is inappropriate except in certain circumstances. Those exceptions, and the relevance of the scheme to them are set out in the table below.

Exception	Comment
a) buildings for agriculture and forestry	The proposal is not for agriculture or forestry
	Criterion not met

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<p>b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it</p>	<p>The proposal is not for outdoor sport or recreation, burial grounds cemeteries or allotments.</p> <p>Criterion not met</p>
<p>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</p>	<p>The proposal is not for the extension or alteration of an existing building.</p> <p>Criterion not met</p>
<p>d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces</p>	<p>The proposal is not for a replacement building.</p> <p>Criterion not met</p>
<p>e) limited infilling in villages</p>	<p>The proposal is remote from any village and does not therefore constitute limited infilling.</p> <p>Criterion not met</p>
<p>f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)</p>	<p>The proposal would not provide affordable housing.</p> <p>Criterion not met</p>
<p>g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.</p>	<p>The part of the site to be developed does not constitute previously developed land.</p> <p>Criterion not met.</p>
<p>h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are: i. Mineral extraction ii. Engineering operations</p>	<p>The proposal is not for any of the forms of development listed.</p> <p>Criterion not met.</p>

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<ul style="list-style-type: none">iii. Local transport infrastructure which can demonstrate a requirement for a Green Belt location;iv. The re-use of buildings provided that the buildings are of permanent and substantial construction;v. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); andvi. Development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.	
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16.1.6 The proposal does not fulfil any of the exceptional criteria set out in paragraph 154 of the framework. Paragraph 155 of the framework goes on to state that the development of homes should not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the framework; and
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 of the framework.

16.1.7 All of these criteria must be satisfied for development proposals not to be regarded as inappropriate. Grey Belt is defined in Annex 2 of the NPPF as land in the Green Belt comprising previously developed land and/or any other land that does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. In this case the part of the application site on which the proposed development would sit is not previously developed land and does contribute to the purposes of including land within the green belt. In respect of the second criterion, footnote 56 means a demonstrable unmet need for the development means a lack of five year housing land supply. The October 2024 annual position statement confirms that a 5 year housing land supply can be demonstrated. This criterion is therefore not met.

16.1.8 In respect of the third criterion, the proposal is not considered to be sustainably located, being isolated from any neighbouring settlements in a location which does not offer a genuine choice of transport modes, instead being reliant on

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private motor vehicles for access. In respect of the final criterion the 'Golden Rules' require the provision of affordable housing either in accordance with development plan policies or at a level 15 percentage points above the existing affordable housing requirement (capped at 50%); necessary improvements to local or national infrastructure, provision of new or improvements to existing green spaces. Owing to the nature of the proposals as enabling development, a contribution towards affordable housing provision is not proposed. The golden rules would not therefore be met.

- 16.1.9 It is therefore concluded that the proposals are in appropriate development in the green belt and would therefore by definition be harmful to it. This does not however mean that the proposal would be harmful to all of the purposes that are served by the green belt, and which are set out at paragraph 143 of the National Planning Policy Framework. As part of the evidence base for the Purbeck Local Plan (PLP) a Green Belt assessment concluded that all land within the Local Plan area currently designated as Green Belt performs at least some of the functions.
- 16.1.10 The PLP Green Belt assessment for this site included a larger parcel of land on the north side of the A35 (parcel 33). It concluded that the parcel makes a medium contribution to both of the openness and permanence of the green belt. With regard to the remaining purposes, the review concluded as follows.
- **Preventing sprawl** – no contribution as the land parcel is not positioned adjacent to the large built-up area and does not act as a check on the spread of the conurbation
 - **Preventing towns from merging** – no contribution given the parcel's position relative to settlements
 - **Safeguarding the countryside from development** – Medium contribution. Despite homes distributed through the parcel along roads, the pastureland, arable fields and woodland contribute towards the intrinsic character of the countryside
 - **Preserving the setting and special character of historic towns** – no contribution – the site does not form part of the setting of Wareham.
- 16.1.11 Taking the above assessment into consideration it can be concluded that the harm to the green belt as a result of the development is to the core characteristic of its openness and to the purpose of protecting the countryside from development, through the introduction of new development into an area where there currently is none. Harm to the openness of the Green Belt may be considered in both spatial and visual terms. Factors such as the visual impact of the proposals, the volume and degree of activity likely to be generated are relevant considerations.
- 16.1.12 In this instance the harm arising is considered to be principally spatial in its nature, arising from the presence of the development and activities associated with it. While there is some development at the southern end of the site, and in recent

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years works have been carried out to upgrade and formalise the site access, there would be an intensification of use as a result of the development. The proposals would also introduce built development in the undeveloped northern part of the site. The openness of the Green Belt is characterised by the absence of development and its permanence. This openness would therefore be lost by the introduction of the development.

- 16.2.13 The impact on openness in visual terms is considered to be less significant. Landscape and visual impacts are considered in detail in subsequent sections, but the application is supported by a Landscape and Visual Impact Assessment (LVIA) which demonstrates that external views of the site would be extremely limited and available only from a relatively short stretch of bridleway to the north of the site. The site benefits from extensive mature tree screening and the proposals include provision for additional landscape screening to be incorporated. Therefore while there would be some harm to openness through the visual impact of the development, the harm is considered to be minor.
- 16.1.14 With regard to the final purpose of assisting in urban regeneration, there would be some harm to this purpose as a result of a proposal in this location. However, that harm is considered to be very limited, taking into account the particular circumstances of and justification for the proposed development.
- 16.1.15 It is therefore concluded that the harm to the Green Belt as a result of the development would be spatial in nature and principally in relation to the purpose of safeguarding the countryside from development, to which the site makes a medium contribution. It is considered that this harm would be moderate. However, paragraph 154 of the national planning policy framework however indicates that any harm should be afforded **substantial weight**.
- 16.1.16 Paragraph 153 of the framework states that inappropriate development should not be approved except in very special circumstances. Paragraph 153 goes on to state that 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. The question of whether very special circumstances exist is considered later in this report.

Enabling development

- 16.1.17 The application is proposed as enabling development to fund a conservation deficit which exists in respect of the listed farmhouse and mill buildings. Enabling development is defined as development which would not normally be granted planning permission except for the fact that it would secure the future conservation of a heritage asset. As has been established in the preceding sections of this report, the proposal due to its unsustainable location and the fact that it would constitute inappropriate development in the green belt, would not normally be granted planning consent.

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- 16.1.18 The works required to secure the farmhouse and mill have previously been granted planning and listed building consent under applications 6/2019/0664 and 6/2019/0665. These consents have been implemented through the now completed works for the conversion of the former stable block to residential use. These consents therefore remain extant in perpetuity and work on the listed buildings may commence at any time.
- 16.1.19 Prior to the purchase of the site by the applicant and the commencement of the works authorised by the above consents, the site had been disused for a considerable period. Evidence from the time of those original applications indicates that the buildings were in a poor condition and the wider site had been neglected for an extended period. Extensive landscape and engineering works have been necessary to open up the site in addition to the works to the buildings themselves. This has included extensive clearance of overgrown vegetation, the clearance dredging and restoration of the mill pond including construction of a new walkway and engineering operations to construct a new sluice following the failure of the original headwall.
- 16.1.20 The proposal is therefore provided as Enabling Development to fund the delivery of the approved works to the listed buildings. Guidance on enabling development published by Historic England explains that enabling development should only be pursued as a last resort where other forms of funding have been discounted. Where it is to be considered, the published guidance sets out that the amount of development should be limited to the minimum required to overcome the conservation deficit. The guidance also indicates that 'enabling development' should only be considered as a last resort where other sources of funding for the development including grant funding have been discounted. In this instance the applicant has provided a consideration of the various types of grant funding which may be available. However, it is evident that grant funding would not be available to a degree which would fully secure the future of the listed buildings, due to the extent of work required and the buildings being in private ownership.
- 16.1.21 The applicant has engaged via pre-application discussions to establish that enabling development is required and an appropriate route to address the conservation deficit in this instance. In order to demonstrate that the enabling development is necessary, the applicant has undertaken an assessment of the condition of the mill and farmhouse. This has established that the extent of works required across the site has resulted in a conservation deficit of £2.4 million. The pre-application discussions also included the consideration of a viability assessment which confirmed that a 15-unit scheme was necessary to fund the conservation deficit.
- 16.1.22 For this application, the applicant has provided an economic viability appraisal of the current proposals to demonstrate that the development represents the minimum amount of development necessary to fund the conservation deficit. The increase in the number of new dwellings is necessary due to increases in build costs. The appraisal includes the costs of delivering the works to the listed

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buildings alongside the build costs of the wider development. It concludes that the development would result in a negative residual value by £1.2 million but would remain deliverable with reduced profit margins.

- 16.1.23 The District Valuer's review of the viability figures has accepted the Conservation Deficit but reaches a different conclusion on the economic viability of the enabling development scheme, concluding that it would result a very modest surplus of less than £9000. The difference in the overall conclusion arises from the District Valuer having adopted a higher figure for gross development value; a lower figure for total development costs, primarily relating to construction costs and financing; and a lower figure for legal fees on sales.
- 16.1.24 Although the review results in a different residual development value for the enabling development, the small surplus identified by the District Valuer allows for the conclusion that the development of 16 units which has been proposed is the minimum amount of development that would be necessary to overcome the agreed conservation deficit.
- 16.1.25 Historic England guidance also emphasises that, once the conservation deficit has been established and the quantum of enabling development considered, a delivery plan should be put in place to demonstrate how the heritage benefits will be secured in a timely manner. The applicant has provided a delivery plan which sets out the following commitments for the delivery of the housing:
- The works permitted under references 6/2019/0655 and 6/2019/0644 to the mill and farmhouse will begin within one month of planning permission being issued. operation.
 - Upon completion of the installation of the required foundations and underpinning, approximately 4 weeks, the scaffold structure and cover will be erected. This cover will remain in place until the building is weatherproof.
 - The heritage works will be fully completed in one operation.
 - None of the enabling residential units will be occupied until such time as the works permitted under references 6/2019/0655 and 6/2019/0644 to the mill and farmhouse are fully completed in accordance with the approved plans.
 - The completion of the approved works to the listed buildings in accordance with the approved plans are to be confirmed by a conservation officer prior to occupation.
 - Should any issues arise that effects the delivery of the heritage works which may affect the delivery timetable the developer may apply in writing to the council to make amendments to that timetable.
 - The council will consider any such application and where reasonable to do so agree to vary the timetable to ensure the full delivery of the heritage works is not prejudiced.

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16.1.26 The plan for delivery is therefore that the works to the listed buildings are delivered at the earliest possible stage with the enabling development following on and acting as a source of development financing which would not otherwise be available. The applicant has therefore committed that none of the enabling development units will be occupied until the works to the listed buildings are completed. This delivery plan will ensure that the conservation benefits which are advanced to justify the enabling development will be realised. The delivery plan is to be secured by way of a planning obligation which will require the delivery plan to be followed.

Very Special Circumstances

16.1.27 Paragraph 153 of the National Planning Policy Framework states that inappropriate development in the green belt should not be approved except in very special circumstances. It goes on to state that 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.

16.1.28 The applicant has put forward the case that the restoration and future protection of the listed mill complex constitute very special circumstances in this instance. The case for very special circumstances is considered in further detail toward the end of this report, alongside the overall planning balance.

16.2 Impact on heritage assets

16.2.1 Although the red line boundary for the planning application includes the listed mill and farmhouse and the curtilage listed stable block, the current application does not propose works to the designated heritage assets, these having been previously approved. Although the proposals would not directly impact upon the designated heritage assets it is also necessary to consider the potential for harm to arise as a result of development within their setting. Paragraph 212 of the National Planning Policy Framework states that great weight should be given to the conservation of heritage assets, irrespective of whether any harm amounts total loss, substantial harm or less than substantial harm to significance. Paragraph 214 states that where there would be the total loss of or substantial harm to the significance of an asset, planning permission should be refused unless there would be substantial public benefits and specific criteria are met. Where the harm is assessed as being less than substantial, paragraph 215 requires that this is weighed against the public benefits associated with the scheme.

16.2.2 Paragraph 208 of the National Planning Policy Framework advises that planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal, and that this should be taken into account when considering the impacts of development proposals, so as to avoid or minimise any conflict between the asset's conservation and any aspect of the

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proposal. The conservation officer has identified the following elements of setting which contribute to the significance of both the mill and the farmhouse:

- Spatial and historically functional relationship within the localised extent and context of the land and associated stream
- The visual experience, from the building and grounds, that collectively promotes the site's discrete and private setting
- The visual, kinetic experience from the south approach (from the A35) advancing along the main access route, towards the threshold of the bridge prior to the current development site
- The audible experience of water management systems associated with the mill

16.2.3 The new development is approximately 55m north of the farmhouse and approximately 60m north of the mill and are separated from it by a natural and mature deciduous wooded area which provides a degree of screening. From the north the site's elevated nature and the existing woodland there are limited views of the listed buildings available, although clearer intervisibility is available from the route of the proposed access road. The introduction of new built development is considered to represent a minor harm to the setting of the heritage assets through urbanisation.

16.2.4 The development is inherently linked however to the delivery of significant positive enhancements to both the mill and farmhouse which will provide for their long term retention and utilisation, which will be secured by legal agreement to ensure that they are delivered in a timely manner. The enabling development case has demonstrated that these benefits cannot be realised without the enabling development. Considering the impacts in this context therefore it considered that the minor harm to the setting of the listed buildings would be overcome by the positive impacts of securing the delivery of the consented works to the listed buildings.

16.2.5 Those works would themselves represent a significant enhancement to the listed buildings both through the physical works to them and by bringing the farmhouse back into use, which at paragraph 215 of the National Planning Policy Framework recognises should be recognised as a public benefit. It is likely that the condition of the listed buildings would continue to decline in the absence of the proposed enabling development. Therefore, it is considered that the proposals, overall, would not be harmful to the listed buildings.

16.2.6 The site is also located within the Morden Conservation area. Comments received from the conservation officer describes this part of the conservation area as predominantly wooded, comprising a discrete network of small-scale field systems. They go on to present as an intimate and enclosed mosaic landscape,

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with limited opportunities to obtain broader unimpeded access to views across open field systems within the Morden Conservation Area.

16.2.7 There would be limited opportunities for the development to be viewed within the landscape and where these are available they would largely be filtered through the existing wooded margins of the site. Taking into account the relatively discrete location of the conservation area and the containment of the site, it is not considered that the proposal would result in harm to the Morden Conservation Area.

16.2.8 In respect of the impact of the proposals on heritage assets it may therefore be concluded that the proposals will protect designated assets and, as enabling development will lead to an enhancement to the listed buildings by facilitating repairs to them and bringing them back into use. There is therefore no harm to the heritage assets and a heritage benefit would be achieved, through the works to conserve the listed buildings on the site. The proposals are therefore considered to comply with policy E2 of the Purbeck Local Plan and paragraph 212 of the National Planning Policy Framework. The enhancements that the proposals would deliver in heritage terms may be afforded **substantial weight in support** of the development.

16.3. Design and character

16.3.1 Policy E12: Design, of the Purbeck Local Plan states that the Council will expect proposals for all development to demonstrate a high quality of design that:

- a. Positively integrates with their surroundings;
- b. Reflects the diverse but localised traditions of building materials found across Purbeck;
- c. Limits the opportunities for crime and anti-social behaviour;
- d. Where appropriate supports and promotes sustainable modes of transportation
- e. Avoids and mitigates any harmful impacts from overshadowing, overlooking, noise and any other adverse impacts including light pollution from artificial light on local amenity;
- f. Supports biodiversity through sensitive landscaping and in-built features;
- g. Minimises energy consumption, including where possible inclusion of renewable energy;
- h. Supports the efficient use of land taking account of capacity in existing infrastructure and services, access to sustainable means of transport, the local area's prevailing character and the requirement to deliver high quality buildings and places; and
- i. Provides buildings which are accessible to all.

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- 16.3.2 Due to the site's location, surrounded by agricultural and forestry land, there is limited built form to integrate with, the main features being the listed buildings themselves. The influence of the listed buildings on the design of the new housing is evident throughout the scheme, which includes a number of different design typologies, although not 'generic' house types. It is evident that the scheme has been designed to result in a development which displays coherence and which reflects common rural building types.
- 16.3.3 Houses 1 and 3 are detached houses of typical two storey scale which are strongly reflective of the character of the listed Farmhouse, albeit with variations in detailing. Houses 4 and 5 are 1.5 storey units which have appearance of a converted garage or stable block and are reminiscent of the recently converted and curtilage listed stable block within the site. Houses 14 to 16 are a group of two storey gabled houses which broadly reflect the scale and appearance of the mill and whose arrangement to front onto the SUDS pond is reflective of the Mill's relationship with the millpond.
- 16.3.4 Other houses on the site are less directly influenced by the buildings on the site but nevertheless are considered to be reflective of local rural character. Houses 2 and 9 have the appearance of converted barns, which whilst not directly reflected on the site, this is a common rural building typology. Houses 6 and 7 are semi-detached farmhouse style properties with relatively simple detailing. House 8 similarly has the appearance of a smaller farmhouse, with a dormered first floor, helping to limit this units' overall bulk and adding variety into the mix of housing. Units 10 to 13 are a terrace of relatively simple houses which have the appearance of traditional farmworkers cottages.
- 16.3.5 The layout of the site is such that a hierarchy of building types is established, with the more 'polite' farmhouse type buildings being the first buildings that would be encountered on entry to the site, with those houses whose design is reminiscent of lower status buildings which have been converted situated further back and forming the two courtyards. It is considered that this layout assists in helping the development relate to the listed buildings and the otherwise rural character of the surroundings.
- 16.3.6 Overall it is therefore considered that the proposals meet the first two criteria of policy E12. In respect of the third criterion, the layout of the dwellings ensures that the communal courtyards and routes through the site are active spaces which benefit from passive surveillance and the houses have private and secure rear gardens. There are also automatic gates at the site entrance limiting opportunities for unauthorised access to the site. The proposal is therefore considered to comply with this part of the policy.
- 16.3.7 Criterion D requires support for sustainable travel modes where appropriate. The proposals would provide limited such support given the site's remote location and reliance on private modes of transport. However, given the location and scale of development and the specific circumstances to justify the proposals in this

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instance it is not considered that the promotion of sustainable transport options is appropriate in this instance.

- 16.3.8 In respect of the protection of residential amenity required by Criterion E, the nearest existing neighbours to the development are the residents of the converted stable block, over 100m to the south of house 1. This distance and the dense intervening vegetation is such that there would not be any harmful impact upon the amenity of existing neighbours. Considering the relationship between the dwellings themselves, the layout is such that the dwellings themselves would not be harmfully overlooked by each other, and the gardens would provide appropriate levels of privacy.
- 16.3.9 Matters relating to biodiversity impacts of the proposals are considered in detail later in this report. However, for the purposes of consideration against policy E12, the proposals do include measures to support biodiversity which have been informed by the ecological survey work carried out. In particular, the proposals include an ecological landscape buffer around the edge of the development area, which allows for new native planting which is incorporated into the landscaping of the site and which will also include shelters for hedgehogs. The agreed biodiversity plan also includes provisions for enhancement measures to be incorporated into the fabric of the new dwellings, including Swift Bricks (50% of dwellings), Bat bricks (50% of dwellings), Bee bricks (all dwellings), and the SuDS pond will be planted with a species rich seed mix. Overall it is therefore considered that the proposal meets criterion F of policy E12.
- 16.3.10 In respect of energy consumption, the proposals will be designed to meet current building regulations in respect of energy efficiency, overheating and ventilation. While the proposals do not include details of onsite renewables such as solar photovoltaic panels, the impacts of including these must be balanced against the sensitivity of the site, particularly in heritage terms. There would also remain opportunities for the incorporation of such technologies at a later stage.
- 16.3.11 In respect of the efficient use of land, the proposals represent an overall development density of 19.1 dwellings per hectare, taking the area within the ecological buffer to be the overall site area. This is relatively low density of development, which is reflected in the layout of the dwellings, which all have good sized rear gardens. Although the density of development is relatively low, this must be viewed in the context of the specific circumstances of the site and the fact that the development is proposed as 'enabling development'. As explained in the preceding sections, one of the considerations for 'enabling development' is to ensure that the development proposed is the minimum necessary to overcome the identified conservation deficit, which has been done through the economic viability testing that has taken place.
- 16.3.12 Therefore, although it may well be possible to design a scheme which provided a greater number of units on the site, doing so would in this case conflict with the aims inherent in bringing the site forward as 'enabling development'. Similarly, a

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greater quantum of development would also equate to additional harm to the Green Belt through the presence of buildings. Taking these matters into consideration therefore it is considered that the proposals represent an appropriately efficient use of the site.

- 16.3.13 In respect of accessibility each of the proposed houses have ground floors set at a single level with level routes into the site. The site's topography means that it is necessary to include some steps within gardens and up to front doors in certain instances. However, routes through and around the site are step free.
- 16.3.14 Taking all of the above into account it is considered that the proposals do represent a high quality of design which complies with the requirements of policy E12 of the Purbeck Local Plan, and which would raise the standard of design generally. This is afforded **moderate weight** in favour of the scheme.

16.4 Landscape and visual impacts

- 16.4.1 The application has been supported by a Landscape and Visual Impact Assessment (LVIA) which has been prepared in accordance with best practice as encompassed in the document 'Guidelines for Landscape and Visual Impact Assessment (GLVIA) – Third Edition, 2013' published by the Landscape Institute and Institute of Environmental Management and Assessment. The council's landscape officer has not been able to provide detailed comments in this instance but has reviewed the assessment and confirms that it's conclusions can be relied upon.
- 16.4.2 The Assessment recognises that the site is located within an area known as the Rolling Wooded Pasture Areas in the local landscape character assessment. This area is assessed as having a moderate to good condition with a key aim of conserving and enhancing built environment features and encouraging and promoting tree and woodland management, with key features being woodland blocks, hedgerows and scattered trees. The assessment notes that the changes relate to an area of open grassland with existing boundary vegetation retained and enhanced. The assessment concludes that there would be a negligible overall impact upon the character area.
- 16.4.3 Considering localised effects, the assessment notes that the local landscape is not nationally valued in planning terms, although does have value due to its role in forming the setting for the group of listed buildings on the site. The impacts of the development on the landscape are assessed as being in the moderate range, through the introduction of new built development into a rural area with a dispersed settlement pattern, and through the introduction of new development within the setting of the listed buildings. The assessment concludes that the impacts on local landscape character is moderate. Taking into account proposed mitigation, the effects on local landscape character are reduced to slight.
- 16.4.4 The LVIA also includes an assessment of the impacts on visual amenity, supported by photographs from representative viewpoints. The assessment

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indicates that there would be limited visibility of the site from the surrounding area, due to the density of surrounding woodland cover and the topography of the landscape. The most significant visual effect will be from the north where views are available from a public right of way, approximately 360m from the site and where the new development will be visible for a stretch of the footpath. For other viewpoints the assessment concludes that there would be either a negligible effect or no change.

- 16.4.5 The findings of the LVIA have also been used to inform the proposed landscaping strategy for the site, which involve the retention of existing trees and the reinforcement of hedgerows which will, over time, help to assimilate the development into the landscape. On the basis of these conclusions, it is considered that the proposal would appropriately take account of the local landscape character and features and would not result in adverse impacts upon the local landscape, individually or cumulatively. Therefore, it is considered that the proposals comply with policy E1 of the Purbeck Local Plan. The landscape enhancements of the scheme are afforded **limited weight** in favour of the proposals.

16.5 Flood risk and drainage

- 16.5.1 The part of the development site on which the proposed dwellings are to be located is within flood zone 1. However the central part of the site which includes the mill race, and which is crossed by the access road lies within flood zones 2 and 3 and areas at risk of surface water flooding.

The sequential test

- 16.5.2 Paragraph 174 of the national planning policy frameworks sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. It states that development should not be permitted where there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 16.5.3 Ordinarily the area of search fully applying this sequential test for residential development would be at least the development plan area. However in this instance the proposal is specifically an enabling development which is intrinsically linked to the heritage assets on site which it seeks to preserve. Therefore it is appropriate to apply this sequential test on a more limited basis, considering only that land within the applicant's ownership as being suitable for the development proposed.
- 16.5.4 The extent of the applicants ownership is defined by the red line boundary for this application. The applicant has confirmed that the adjacent land to the north West and east of the site is owned by third parties and is not therefore capable of accommodating the proposed enabling development as that would incur additional land acquisition costs and further drive up the amount of enabling development necessary to overcome the conservation deficit.

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- 16.5.5 The northern part of the site where the proposed development is to be accommodated is itself at lower flood risk being within flood zone 1. The flood risk zone affects the access route to the development site from the highway. While the access from the highway is within flood zone 1, that is insufficient land available to accommodate the necessary level of enabling development to the South of the area of flood risk. Therefore in order to achieve the enabling development proposed and the heritage benefits the access through the flood risk zone is necessary. In the absence of alternative options to deliver the enabling development within the applicant's land ownership, it is considered that the sequential test is passed in this instance.

The exceptions test

- 16.5.6 Where the sequential test has been passed it is also necessary to pass the exceptions test which requires that the development would provide sustained wider sustainability benefits to the community that outweigh the flood risk and that the development will be safe for its lifetime taking into account the vulnerability of its users without increasing flood risk elsewhere and where possible reducing flood risk overall.
- 16.5.7 In consideration of the first part of the test the heritage benefits of the scheme are considered to represent sustainability benefits to the community. These are considered to outweigh the flood risk in this instance as they will allow the preservation of two listed buildings of historic importance and the sequential test has confirmed that there are no alternative options to deliver the benefits at lower flood risk.
- 16.5.8 In considering the second part of the exceptions test the applicant has provided detailed information through the flood risk assessment and subsequent updates which have been carried out in response to the comments from the Environment Agency and lead local flood authority. The most recent comments have confirmed that the amended drainage strategy will achieve a development which remains safe throughout its lifetime.
- 16.5.9 The dwellings themselves will be located on higher ground outside of any areas of designated flood risk. They include surface water drainage arrangements to allow for the management of surface water to minimise flood risk as far as possible while following the SuDS hierarchy, directing the drainage to a watercourse via an attenuation pond.
- 16.5.10 It is therefore concluded that the second part of the exceptions test is passed the proposal therefore complies with paragraphs 178 and 179 of the NPPF and policies E4 and E5 of the Purbeck Local Plan. This is afforded **neutral weight** in the planning balance.

16.6 Highways, access and parking

- 16.6.1 Access to the site is from an existing point of access on the northern side of the A35. The access originally served the mill, farmhouse and associated buildings

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but had been disused for a considerable amount of time before the extant planning and listed building consents were granted for the conversion of these buildings. In implementing those consents the applicant has undertaken extensive works to reinstate the access, including formalising a new bell-mouth onto the A35, the formation of visibility splays to the east and western sides of the junction and the setting back of access gates.

- 16.6.2 The applicant has provided swept path analyses which demonstrate that the site can be safely accessed by refuse and emergency vehicles and that these can enter the site, turn and exit in a forward gear. Following initial comments from the Highway Authority, the applicant has also provided updated speed survey information and updated details of access and visibility. Following the submission of that information the Highway Authority has confirmed that the residual cumulative impacts of the development on the highway network cannot be concluded to be 'severe' in the context of paragraphs 115 and 116 of the NPPF. The Highway Authority has also confirmed that the proposals provide an appropriate level of car parking for the development proposed. Subject to the recommended conditions to ensure that safe and appropriate access to the site is provided and maintained, it may therefore be concluded that the proposals would not result in an unacceptable impact upon the highway network and would comply with relevant parts of policy I2 of the Purbeck Local Plan. This is afforded **neutral weight** in the planning balance.

16.7 Affordable housing

- 16.7.1 Policy H11 of the Purbeck Local Plan establishes a requirement for the provision of 40% on-site affordable housing on new greenfield sites providing 10 or more dwellings. This would equate to a requirement for 6.4 dwellings (6 on site with a commuted sum for 0.4 dwellings).
- 16.7.2 In this instance however, the proposal does not include any allowance for affordable housing provision. This is due to the nature of the proposal as enabling development to secure a heritage asset. Enabling development is, by definition, development which does not comply with the development plan. As set out in the section above, the approach to justifying enabling development is for viability evidence to demonstrate that the enabling development proposed is the minimum amount required to fund the conservation deficit.
- 16.7.3 The viability evidence submitted in this case has demonstrated that the development is indeed as the minimum amount required to fund the conservation deficit. In terms of viability, the inclusion of any element of affordable housing on the site would increase the overall quantum of development required to overcome the conservation deficit. This would lead to additional erosion of the openness of the green belt in particular and would also have potential to result in harmful impacts upon the listed buildings through the introduction of further development within their setting. Therefore, although in this instance the proposals would result in a conflict with policy H11, the case for enabling development is a clear material

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consideration which justifies the departure from the policy requirements in this instance.

- 16.7.4 As the justification for there being no contribution towards affordable housing as part of the scheme is based upon this viability evidence, it is considered appropriate to require, through a legal agreement that the viability of the scheme is reassessed if the housing does not come forward within a reasonable timeframe. This therefore carries **neutral weight** in the planning balance.

16.8 Biodiversity and habitats

- 16.8.1 The application is accompanied by an Ecological Impact Appraisal (EclA), the recommendations of which have been incorporated into a Biodiversity Plan which has been agreed by the council's Natural Environment Team. The EclA was informed by a preliminary roost assessment, bat emergence and re-entry surveys, desktop studies, a walkover survey of the site and bat activity surveys. It identified the following features which would be susceptible to adverse impacts in the absence of suitable mitigation/compensation:

- Moderate potential for common reptile species
- Moderate potential for Dormice
- Low potential for GCN
- High potential for breeding and nesting birds
- Potential for foraging and commuting Badgers
- Site of Regional significance for commuting and County significance for foraging bats with Greater Horseshoe and Barbastelles recorded on site
- Recreational pressure upon the Dorset Heaths SPA, SAC and Ramsar

- 16.8.2 The agreed biodiversity plan includes a commitment to the preparation of a Landscape and Ecological Management Plan for the site, in order to appropriately control lighting of the site. The design of the site also seeks to establish dark corridors within ecological buffer zones surrounding the development which will be planted with new native species rich hedgerows contributing to a new habitat resource.

- 16.8.3 Mitigation and enhancement measures are also proposed through the timing of site clearance works to avoid the bird nesting season, and provision of new bird boxes around the site's boundaries. Measures to avoid impacts upon other protected species during the construction period are also outlined including appropriate provision for ecological supervision of works. A financial contribution of £9,366.36 is proposed to mitigate the loss of on site habitats, to be secured through an appropriate planning obligation.

- 16.8.4 The planning constraints listed in section 8 of this report include a record from the Dorset Environmental Records Centre (DERC) for an otter. The record was considered by the Council's Natural Environment Team, and is was concluded

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that based on this being just a single record of otter in the wider area and being fairly old (dated from 2015), that this dataset cannot be solely relied on to determine presence of otters on site. This, combined with no recorded evidence of otter presence being identified or noted during the applicant's ecological survey, and the development proposals not posing a risk of ecological impact to nearby watercourses, it was felt that otters would not need to be considered further from an ecological standpoint, as no specific mitigation or compensation is appropriate in this instance.

- 16.8.5 Subject to the imposition of appropriate conditions to require compliance with the BP and the provision of an appropriate LEMP, it is considered that the proposal would avoid unacceptable impacts on biodiversity and would deliver ecological enhancements to the site through the provision of bird and bat nesting and roosting opportunities within the buildings and the establishment of the ecological buffer zone. The proposal therefore complies with policy E10 of the Purbeck Local Plan. In the context of the nature emergency declared by Dorset Council on 18 July 2024, these benefits carry **moderate weight** in favour of the proposals.
- 16.8.6 The site is located within the hydrological catchment of Poole Harbour and is therefore affected by recent advice from Natural England in respect of the need to demonstrate nutrient neutrality for Nitrogen. The applicant has provided a nutrient budget calculator and confirmed that they propose to achieve nutrient neutrality through the purchase of credits from Natural England. Subject to the imposition of an appropriate pre-commencement condition requiring those credits to be secured prior to any works on site, any adverse impacts on the Poole Harbour Habitats sites through nutrient enrichment would be appropriately mitigated. The site is also within 5km of the Dorset Heathlands Habitats Sites. The amount of development proposed is not sufficient in this instance to require provision of a SANG. Impacts upon the heathlands associated with this development will be mitigated through contributions towards Strategic Access Management and Monitoring (SAMM) which will be collected from the development's CIL liability. This would ensure that any impacts from the development on habitats sites will be appropriately mitigated and the proposals will comply with policies E7, E8 and E9 of the Purbeck Local Plan. This is afforded **neutral weight** in the planning balance.
- 16.8.7 The proposal is exempt from the statutory requirement to demonstrate Biodiversity Net Gain as this application was submitted prior to February 2024.

16.9 Impacts on trees

- 16.9.1 The proposal would result in the loss of a small group of willow and hazel trees. However mitigation for this loss is provided through new mixed native woodland planting which would be delivered as part of the management. Retained trees on the site would otherwise be protected through a package of tree protection works which are to be secured by way of a condition which requires their implementation and retention throughout the construction period. The proposed condition would also require a pre-commencement site meeting with tree officers to confirm the

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extent of the works. Subject to the imposition of the proposed condition it is considered that the proposals would avoid harm to retained trees and the proposals would comply with Policy I3 of the Purbeck Local Plan in this regard. This is afforded **neutral weight** in the planning balance.

16.10 Rights of way

16.10.1 There are no rights of way which directly affect the application site it is however in the vicinity of Bridleway SE 19/24, which runs along the southern side of the A35 and which connects to Bridleway SE 19/8, running northwards towards Whitefield. These form part of the Wareham Forest Way and Hardy Way.

16.10.2 The rights of way team has not objected to the proposals but has suggested that some improvements should be made to the right of way with suggestions including to the surface, vegetation, signage and structures. Specific upgrades have not been detailed and no specific case has been set out for them. As the route is outside of the applicant’s ownership, any upgrades would need to be secured by way of a S106 agreement. However in the absence of precise details of required upgrades or direct evidence that they would be necessary as a consequence of the proposed development any such contribution would not pass the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) that contributions be necessary to make the development acceptable in planning terms, directly related to the development; and fairly related in scale and kind to the development. This carries **neutral weight** in the planning balance.

16.11 Planning balance and Very Special Circumstances

16.11.1 As has been noted in section 16.1, above, due to the site’s isolated rural location outside of the established settlement hierarchy, the development does conflict with the overall spatial strategy for development within Purbeck as established through policies V1 and V2 of the Purbeck Local Plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that development be determined in accordance with the development plan unless material considerations indicate otherwise. In the preceding section, **weighting** has been attached to the various issues identified, either in favour or against the development, using the categories of Substantial, Significant, Moderate, Limited, Neutral. These are summarised in the table below.

Consideration	Weight in favour	Weight against	Reason
Location of development		Significant	The site is unsustainably located and is therefore contrary to the development plan

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Impact on the green belt		Substantial	The development will harm the openness of the green belt
Heritage benefit of enabling development	Substantial		The development will secure the restoration of two listed buildings as a benefit which is unique to the site as demonstrated by the enabling development case.
Contribution to housing land supply	Moderate		A 5 year housing supply can be demonstrated and the development of the site is
Design quality	Moderate		The scheme represents a high quality of design
Biodiversity	Moderate		Provision of biodiversity enhancements within the site.
Landscape	Limited		The development would have limited impacts and provide for the reinforcement of existing hedgerows.
Flood Risk and drainage	Neutral		The proposals would avoid harm but would not deliver particular benefits.
Highways access and parking	Neutral		The proposals would avoid harm but would not deliver particular benefits.
Affordable housing	Neutral		The enabling development case demonstrates that affordable housing cannot be delivered without increasing the level of development and therefore the harmful impacts of the development.

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Habitats impacts	Neutral	The proposals would avoid harm but would not deliver particular benefits.
Impacts on trees	Neutral	The proposals would avoid harm but would not deliver particular benefits.
Impacts on the Public Right of Way (PRoW)	Neutral	The proposals would avoid harm to the PRoW

- 16.11.2 The table above summarises the planning balance identified throughout the officer report. While some disbenefits are afforded substantial and significant weight, these are considered to be clearly outweighed by the cumulation of substantial and moderate benefits, particularly where the harm to the Green Belt as a result of the development would be spatial in nature and principally in relation to the purpose of safeguarding the countryside from development, to which the site makes a medium contribution. Again, in this case the application is proposed as 'enabling development' to allow for the restoration of the listed mill and farmhouse to the south of the development area. As set out above, the case for enabling development has been made, initially through pre-application discussions and latterly through this application, with a detailed assessment of the condition of the listed buildings and assessment of the costs of their restoration. This has then informed an economic viability appraisal which has confirmed that the development proposed is the minimum amount necessary to overcome the identified heritage deficit and facilitate the restoration of the listed buildings.
- 16.11.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a statutory duty for the Local Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. In addition paragraph 212 of the National Planning Policy Framework states that when considering impacts of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 221 of the framework goes on to state that when considering proposals for enabling development, the Local Planning Authority should consider whether the benefits of the proposal would outweigh the disbenefits of departing from relevant development plan policies.
- 16.11.3 The council is able to demonstrate a 5 year housing land supply and the most recent housing delivery test results show delivery at 105% of the required level. Paragraph 11d of the National Planning Policy Framework, which establishes a tilted balance in favour of granting permission unless there would be significant

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and demonstrable adverse impacts, is not engaged. A 'neutral' planning balance should therefore be applied.

- 16.11.4 As enabling development the proposals would deliver a substantial heritage benefit through facilitating works which would not only preserve but enhance the heritage assets on site. These benefits are unique to this development and site. On the basis of the evidence submitted and independently verified, these benefits could not be achieved through alternative, lesser, means.
- 16.11.5 The heritage benefits that the proposals would deliver are a material consideration in this instance to which **substantial weight** may be afforded.
- 16.11.6 As also set out in section 16.1, the proposal would represent inappropriate development in the green belt, being a development of new buildings on land which is not previously developed. As inappropriate development is, by definition, harmful to the green belt there would be harm as a result of the development. Paragraph 153 of the National Planning Policy Framework indicates that any such harm should be given **substantial weight** in the planning balance. Paragraph 153 states that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by way of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.
- 16.11.7 The benefits associated with the scheme, as set out above, are substantial, being the restoration of the listed buildings, putting the farmhouse to its optimum viable use and ensuring that they remain protected for the future. The benefits are also unique to this site due to the intrinsic linkage between the development proposed and the delivery of the previously approved works to secure and enhance the listed buildings on the site. These are clear and substantial benefits associated with the scheme.
- 16.11.8 The proposals will also provide 16 new dwellings, contributing to the supply of housing within Dorset. As the council is able to demonstrate a 5-year supply of deliverable housing sites the 'tilted balance' does not apply. Nevertheless, the contribution towards housing supply is a benefit of the scheme to which **moderate weight** is afforded.
- 16.11.9 Considering the scheme in its totality, it is considered that the benefits of the scheme are sufficient to clearly outweigh the harm to the green belt in this instance. Therefore, it is considered that very special circumstances exist to justify development in the green belt.

17.0 Conclusion

- 17.1 The proposal for 16 dwellings constitutes 'enabling development' which will facilitate the delivery of previously approved works to restore the listed mill and farmhouse on the site, allowing them to be brought back into active use after a significant period of disuse and decline.

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- 17.2 The application site is located in the open countryside outside of any defined settlement in a relatively isolated position. Therefore, the proposals would conflict with the development plan in this regard. The proposals also represent inappropriate development in the Green Belt. The case for enabling development which has been advanced by the applicant is supported by detailed economic viability evidence which has been independently tested and verified, which confirms that the amount of development proposed is the minimum amount required to secure the heritage assets.
- 17.3 The case that has been made for enabling development, and the benefits that the development would achieve in terms of restoring the heritage assets are material considerations to which carry **substantial weight**. Alongside the other benefits of the scheme, it is considered that this is sufficient to justify departing from the development plan in this instance.
- 17.4 The proposals also represent inappropriate development in the Green Belt, which is, by definition harmful to it. The benefits of the scheme are substantial, and it is considered that they are of sufficient to outweigh the harm that would be caused to the Green Belt. Therefore, it is concluded that Very Special Circumstances exist to justify the grant of what is inappropriate development in the Green Belt in this instance.
- 17.5 The proposals are considered to achieve a good standard of design and would not result in harmful impacts on heritage assets, landscape or visual impacts, highways safety and biodiversity and it has been shown that the development would remain safe from flooding.
- 17.6 If the committee is minded to grant planning permission for the proposals it will be necessary to consult with the Secretary of State for Housing Communities and Local Government to determine if they wish to issue a direction under section 77 of the Town and Country Planning Act 1990 to 'call in' the application for determination. The requirement to consult with the Secretary of State is set out in the relevant Town and Country Planning (Consultation) (England) Direction and applies to proposals for major development which constitute inappropriate development in the Green Belt.

18.0 Recommendation

A) Delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to grant planning permission subject to consultation with the Secretary of State for Housing, Communities and Local Government and the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) to secure the following:

- **Implementation of the development to proceed in accordance with the agreed delivery plan**

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- **Financial contribution of £9366.36 towards off site ecological enhancements**
- **Provision for review of scheme viability**

And the below conditions (pre commencement conditions have been agreed in writing with the applicant) :

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:

- 18-1018-LOC A Location & Block Plans
- 01(SL.01) P8 Proposed Site Plan
- 02 (H1-P/E01) P2 House 1 Floor Plans & Elevations
- 03 (H1-P/E01) P2 House 2 Floor Plans & Elevations
- 04 (H1-P/E01) P2 House 3 Floor Plans & Elevations
- 05 (H4&5 P/E01) P2 Houses 4&5 Floor Plans & Elevations
- 06 (H6&7-P/E01) P2 Houses 6&7 Front Elevation
- 07 (H6&7-P/E02) P2 Houses 6&7 Floor Plans & Elevations
- 08 (H8-P/E01) P2 House 8 Floor Plans & Elevations
- 09 (H9-P/E01) P2 House 9 Floor Plans & Elevations
- 10 (H10-13-E-01) P2 Houses 10-13 Front Elevation
- 11 (H10-13-E-02) P2 Houses 10-13 Elevations
- 12 (H10-13-P03) P2 Houses 10-13 Floor Plans
- 13 (H14-16-E01) P2 Houses 14-16 Front Elevation
- 14 (H14-16-E02) P2 Houses 14-16 Elevations
- 15 (H14-16-P03) P2 Houses 14-16 Floor Plans
- CB-01 P.01 P1 Car Barn 01 Proposed Plans
- CB-03 E.01 P1 Car Barn 01 Elevations sheet 1 of 2
- CB-01 E.02 P1 Car Barn 01 Elevations Sheet 2 of 2
- CB-02 P.01 P1 Car Barn 02 Proposed Plans
- CB-02 E.01 P1 Car Barn 02 Elevations sheet 1 of 2
- CB-02 E.02 P1 Car Barn 02 Elevations Sheet 2 of 2
- CB-03 P.01 P1 Car Barn 03 Proposed Plans
- CB-03 E.01 P1 Car Barn 03 Elevations Sheet 1 of 2
- CB-03 E.02 P1 Car Barn 03 Elevations sheet 2 of 2

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- GR-14 P.01 P1 Garden Room - Plot 14 Plans
- GR-15 P.01 P1 Garden Room - Plot 15 Plans
- GR-16 P.01 P1 Garden Room - Plot 16 Plans
- ACLA/BMB 01 - Proposed Landscaping Plan
- 18400-4-A1-AA - Tree Protection Plan

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

3. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour Special Protection Area (SPA) and Ramsar have been secured from an accredited nutrient provider and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour SPA and Ramsar.

4. Prior to commencement of development hereby approved a Construction Traffic Management Plan (CMP) and programme of works shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:
 - construction vehicle details (number, size, type and frequency of movement),
 - a programme of construction works and anticipated deliveries
 - timings of deliveries to avoid, where possible, peak traffic periods
 - a framework for managing abnormal loads
 - contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities).
 - Wheel cleaning facilities
 - vehicle cleaning facilities
 - inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
 - a scheme of appropriate signing of vehicle routes to the site.
 - a route plan for all contractors and suppliers to be advised on
 - temporary traffic management measures where necessary

The development shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

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5. No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason: To prevent pollution of the water environment in line with paragraph 187 of the National Planning Policy Framework.

6. No development shall take place until the detailed design for flood mitigation works has been submitted to and approved in writing by the Local Planning Authority. The works shall be based on the flood mitigation works detailed in Section 6 of the report: Hydraulic Modelling Report, by SLR Consulting Ltd, ref 410.065231.00001, rev 06 and dated 19/02/2024. The flood mitigation works shall be fully implemented in accordance with the approved details prior to the first occupation of the development.

Reason: To reduce the flood risk to the access road.

7. Prior to commencement of works (including site clearance and any other preparatory works) a pre-commencement site meeting between the Tree Officer, Arboricultural Consultant and Site Manager shall take place to confirm the protection specification for the affected trees. The protection of the trees shall be in accordance with the Barrell Tree Consultancy Arboricultural Method Statement (AMS) reference no.18400-AA2PB and should be overseen throughout the project in accordance with the pre-arranged supervision detailed in section 2.3 & 2.4 of the AMS by a suitably qualified and pre-appointed tree specialist.

The tree protection measures shall be erected in accordance with BS5837:2012 and shall be positioned as shown on the Tree Protection Plan ref: 18400-4. This is to be erected before any equipment, materials or machinery are brought onto the site for the purposes of development (including demolition). The protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered, or excavations made without the written consent of the planning authority.

This Condition may only be fully discharged on completion of the development and subject to satisfactory written evidence of contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

Reason: To ensure that retained trees are appropriately protected during the course of the development.

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8. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP must be implemented in accordance with the approved details.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

9. Prior to the commencement of the development hereby permitted, a scheme showing precise details (including the technical specification) for the provision of the electric gate(s) must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be constructed before any part of the development hereby permitted is occupied or utilised. Thereafter, the electric gate(s) must be maintained and available for the purpose specified. The details should include, but not be limited to:

- Safe and suitable use by vehicles
- To be unlocked, left open and securely tethered maintaining full access every day 06:00 - 22:00 hrs
- Time for gates to fully open and close
- To be closed at night and operated opening by ANPR, key fob or sensor for all residents/visitors. Intercom and touch pad for services / deliveries
- Automatically open as a vehicle exists the development
- Constant power source and manual release in the event of a power outage
- Emergency override for emergency services such as police, fire ambulance.

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- Anti-crushing mechanism
- Appropriate signage

Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

10. Prior to development above damp proof course level, details (including colour photographs) of all external facing materials for the wall(s) and roof(s) shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

11. Prior to the installation of any windows or external doors, a schedule and detailed drawings and sections (at a scale of 1:5, 1:10 or 1:20 as appropriate) of all new windows/doors in the development; including additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such details as have been agreed.

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

12. The soft landscaping works detailed on approved drawing ACLA/BMB 01 must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

13. Prior to the commencement of any development hereby approved, above damp course level, details of all proposed means of enclosure, boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: In the interests of the amenities of the area

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14. Details of facilities to be provided for the storage and removal of refuse from the premises shall be submitted to and approved by the Local Planning Authority. These facilities shall be provided before the building is first occupied and shall be retained as such thereafter.

Reason: In the interests of the amenities of the area.

15. Prior to the occupation of the development hereby approved, the access, geometric highway layout, turning and parking areas shown on drawing number 01 (SL.01) P8 must have been constructed and made available. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: to ensure the proper and appropriate development of the site and to avoid off-site highways impacts.

16. Prior to the occupation of the development a Flood Warning and Evacuation Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of how any recommended measures will be implemented and maintenance throughout its lifetime. The approved plan shall be fully implemented prior to the occupation of the development.

Reason: To manage access to the access road, and flood risk to users of the access road, during extreme rainfall events.

17. No development (except for flood mitigation works) shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the Local Planning Authority. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is occupied.

Reason: To manage the risk of flooding from the development, to improve and protect water quality, and to improve habitat and amenity.

18. No development shall take place (except for flood mitigation works) until details of maintenance and management of both the surface water drainage scheme and any receiving system have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The details should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangement to secure the operation of the surface water drainage scheme throughout its lifetime.

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Reason: To ensure future maintenance of the surface water drainage system and to prevent the increased risk of flooding.

19. The development hereby permitted shall not be occupied unless and until the priority junction vehicular access works and associated visibility splay works detailed on drawings SALA-02 A and 215810/AT/CO1 F have been constructed to the specification of the Local Planning Authority.

Reason: these specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

20. Before the development hereby approved is occupied or utilised, the visibility splay areas shown on Drawing Number 215810/AT/CO1 F must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that the driver of a vehicle exiting the site can see and be seen by oncoming traffic.

21. Before the development hereby approved is occupied or utilised any entrance gates must be set back a minimum distance of 20 metres from the edge of the carriageway and hung so that the gates can only open inwards. Thereafter, the gates must be retained at their approved position, maintained and kept free from obstruction.

Reason: To enable a vehicle to be parked clear of the public highway whilst the gates are opened or closed, preventing possible interruption to the free flow of traffic.

22. No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 20 metres of the proposed access road, including the junction with the existing highway, has been completed to at least binder course level.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

23. Prior to the occupation of the development hereby approved, a gate access management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved gate access management plan shall be adhered to thereafter. The plan shall detail:

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- A programme of inspection, service, maintenance and repair by an accredited specialist
- Avoidance of any service, maintenance and repairs within network peak hours of 08:00 - 09:00 and 17:00-18:00 hrs.

Reason: To ensure the ongoing integrity of the gates throughout the use of the development and to provide safe and suitable access for all and reduce the potential impact on the public highway.

24. No lighting shall be installed until details of the lighting scheme have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the lighting scheme shall be installed operated and maintained in accordance with the agreed details.

Reason: To protect visual amenities and avoid nuisance to adjoining properties.

Informative Notes:

1. The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.
2. Guidance outlines that a property between 1 and 3 bedrooms would generate approx. 0.75 Cubic metres per day. Therefore, a private sewage treatment facility serving 16 properties would generate approx.12 cubic metres per day. In this instance as the combined discharge is in excess of 5cubic metres a day, then a permit would be required for the private sewage treatment facility. This is in addition to planning permission. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit.

Private sewage treatment facilities should only be used where it is not reasonable for a development to be connected to a public sewer, because of the greater risk of failures leading to pollution of the water environment posed by private sewerage systems compared to public sewerage systems. As part of any permit application, sufficient evidence and justification will need to be provided to demonstrate that connection to the public sewer network is not feasible. Without this we will likely refuse any permit application.

Upon receipt of a correctly filled in application form the Environment Agency will carry out an assessment. Applicants will need to aware that applications for any Permits will need at least 12 months to assess and there is no guarantee of approval.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public

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foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone. Guidance on General Binding Rules is available at: General binding rules: small sewage discharge to a surface water

All sewage treatment facilities will need to meet the relevant British Standard – as indicated in the general binding rules.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged.

Further advice is available at: Septic tanks and treatment plants permits and general binding rules

You can get basic pre-application advice before you apply for an environmental permit – more information is available at [Get advice before you apply for an environmental permit](#). Please note that basic pre-application advice is free (conditions apply). A full application for an environmental Permit attracts a fee.

3. The applicant's attention is drawn to the letter from the Environment Agency dated 1 December 2023 in respect of this application.
4. The highway improvements referred to in condition 19 must be carried out to the specification and satisfaction of the Highway Authority in consultation with the planning authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development Team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.
5. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.
6. As the new road layout does not meet with the Highway Authority's Road adoption standards or is not offered for public adoption under Section 38 of the

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Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.

7. The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.
8. Prior Land Drainage Consent (LDC) may be required from Dorset Council's Flood Risk Management team (FRM), as relevant Local Lead Flood Authority, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to floodriskmanagement@dorsetcouncil.gov.uk.
9. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the application for planning permission was made before 12 February 2024.

Read more about Biodiversity Net Gain at
<https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

10. Construction Environment Management Plan

The submitted Construction Environment Management Plan (CEMP) must include safeguarding measures to deal with the following pollution risks:

- The use of plant and machinery
- Wheel washing and vehicle wash-down and disposal of resultant dirty water
- Oils/chemicals and materials
- The use and routing of heavy plant and vehicles
- The location and form of work and storage areas and compounds

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- The control and removal of spoil and waste.

11. Planning Obligation

This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to contributions towards ecological enhancements and the implementation of works to listed buildings.

12.: National Planning Policy Framework Statement (NPPF)

In accordance with paragraph 39 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.
- The applicant was provided with pre-application advice.

13. The applicant is reminded of their responsibility to submit photographic evidence of compliance with the Biodiversity Plan or LEMP to Dorset Natural Environment Team in order to comply fully with requirements of condition 8.

B) Refuse permission for the reasons set out below if the agreement is not completed by 27 August 2025 or such extended time as agreed by the Service Manager for Development Management and Enforcement.

1. In the absence of a legally binding mechanism to ensure the delivery of the agreed works to Morden Mill and Farmhouse which the proposed development is intended to enable, the development is located in an isolated and unsustainable location where new housing development is not ordinarily supported and is inappropriate development in the Green Belt for which very special circumstances do not exist. The proposal is therefore contrary to policies V1 and V2 of the Purbeck Local Plan 2024 and Paragraphs 84, 153 and 154 of the National Planning Policy Framework 2024 (as amended February 2025).

Eastern Area Planning Committee

26 February 2025

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