

Application Number:	P/HOU/2024/06120		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Sunnydale White Lackington Piddletrenthide DT2 7QU		
Proposal:	Demolish store and erect a two Bay Garage / Workshop.		
Applicant name:	Mrs Alicia Eysenck		
Case Officer:	Annabel Cox		
Ward Member(s):	Cllr Haynes		
Publicity expiry date:	21 November 2024	Officer site visit date:	31/10/2024
Decision due date:	16 December 2024	Ext(s) of time:	TBC
No of Site Notices:	1		
SN displayed reasoning:	Public consultation. To front driveway along roadside		

1.0 This application is put forward to committee due to the property owner being a Dorset Council Councillor.

2.0 Summary of recommendation:

GRANT subject to conditions.

- **3.0 Reason for the recommendation:**

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable, and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- All Highways matters have been accessed and considered safe.
- The ecological impact of development has been assessed, and appropriate mitigation measures have been put forward and conditioned to ensure the protection of ecology on site.
- Protected trees have been identified and suitable a arboricultural impact assessment and tree protection plan have been obtained to inform amendments to plans and advise suitable conditions to ensure the preservation of protected trees.
- The proposed development is not considered to detract from local landscape character.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	The proposed development is considered acceptable and complies with the relevant policies, as already listed above.
Scale, design, impact on character and appearance	The proposed development would not have an adverse impact on the visual amenities of the site or locality.
Impact on the living conditions of the occupants and neighbouring properties	The proposed development would not have a significant adverse impact on the living conditions of occupiers of residential properties.
National Landscapes- AONB	It is considered that the proposal will not detract from local landscape character.
Highway impacts, safety, access and parking	It is considered that the proposal will not compromise road safety and there is sufficient parking.
Impact on trees	A tree protection order is in place on this site. An arboricultural impact assessment and tree protection plan have been submitted and inform this decision.
Biodiversity	Having had regard to the submitted Biodiversity Plan and Certificate of Approval, it is considered that the proposal will have no adverse impact on biodiversity interests.

5.0 Description of Site

The application site is located within Dorset National Landscape (AONB) but it is not located within a Conservation Area or settlement boundary.

The site lies west of the B3143 through road in White Lackington. The site is accessed by a small lane north of the site. To the east and west of the site are two neighbouring residential properties. The property to the west lies significantly lower than the application site with the land rolling down towards the River Piddle.

The north, east and south boundaries are well vegetated. A substantial fence exists along the west elevation.

Sunnydale is a two-storey detached dwelling of modern construction. To the northwest corner of the plot is a modest single storey outbuilding under a concrete tile roof. The site benefits from a large garden and adequate parking spaces for several cars.

6.0 Description of Development

The proposal seeks to demolish the existing outbuilding and erect a two-bay garage/workshop. The outbuilding shall be located in place of the existing outbuilding within the plot and constructed of timber, under a slate roof. Solar panels are to be included to the roof.

7.0 Relevant Planning History

1/E/88/000458 - Decision: GRA - Decision Date: 21/02/1989

Develop land by the erection of 2 dwellings and create new vehicular access

1/E/92/000039 - Decision: GRA - Decision Date: 02/06/1992

Develop land by the erection of 2 No dwellings and construct new vehicular access

1/E/92/000285 - Decision: GRA - Decision Date: 20/07/1992

Erect house and garage, construct new vehicular and pedestrian access

8.0 List of Constraints

Poole Harbour Nutrient Catchment Area; Poole Harbour - Distance: 0

Groundwater Source Protection Areas; LOWER MAGISTON - Distance: 0

Landscape Chara; Chalk Valley and Downland; Upper Piddle Valley - Distance: 0

Area of Outstanding Natural Beauty; Dorset - Distance: 0

Wessex Water Treatment Works Catchment - Distance: 0

Wessex Water Risk of foul sewer inundation 2023 High Risk of Foul Sewer Inundation - Distance: 0

Groundwater – Susceptibility to flooding; - Distance: 0

Groundwater Warning Zones 2019; Groundwater flooding for the Piddle Valley; - Distance: 0

Higher Potential ecological network - Distance: 0

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

National Landscapes (Areas of Outstanding Natural Beauty): (statutory protection Local Planning Authorities to seek further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

9.0 Consultations

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

Consultees

1. W - Chalk Valleys Ward- No response

2. DC - Highways

No objection (received 23/10/2024) Subject to conditions

3. P - Piddletrenthide PC- No response

4. Trees

Comment (received 20/02/2025). Request for an Arboricultural Impact Assessment and Tree Protection Plan.

Comments (re-consultation received 12/06/25) No objections following the receipt of the AIA and TPP, subject to conditions.

Representations received

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

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

Summary of comments of objections:

Concerns are raised about the following points:

- Overdevelopment of the site and scale of proposal.
- Access and site Layout
- Height and Visual Impact
- Intended Use and restrictions
- Ecological concerns (bats)
- Environmental impact on trees

Summary of comments of support:

Support is expressed due to the following reasons:

- Appropriate scale
- Improved design and visual appearance when considering the existing building
- Improved ecological and environmental features

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

11.0 Development Plan

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

As far as this application is concerned the following policies are considered to be relevant.

- INT1- Presumption in favour of Sustainable Development
- ENV1 – Landscape, seascape & sites of other geological interest

- ENV2 – Wildlife & Habitats
- ENV 9- Pollution and Contaminated Land
- ENV10 - The landscape and townscape setting
- ENV 12 – The design and positioning of buildings
- ENV 16 – Amenity
- HOUS 6 – Other residential development outside DDB's

Piddle Valley Neighbourhood Plan 2018

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:

- 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4. 'Decision making' Para 39 – requires local planning authorities to approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In National Landscapes (formerly known as Areas of Outstanding Natural Beauty) paragraph 189 requires that great weight should be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

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

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have "regard to" and remove or minimise disadvantage and in considering the merits of this planning

application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. There is no known impact on persons with protective characteristics.

14.0 Planning Assessment

Principle of development

Whilst the application site is not located within a settlement boundary, the proposed development is a modest outbuilding that relates well to the host dwelling and is of an appropriate scale when taking into consideration the size of the plot. It shall replace an existing outbuilding and is considered to be of improved design. The proposed outbuilding is constructed of materials that are sympathetic to the surrounding environment, does not result in any overlooking or overshadowing and would result in the generation of renewable energy (solar panels) and does not detrimentally impact the ecology on site (bats) or trees (as shown in the tree protection plan and amended footprint)

The proposed development is considered acceptable and complies with policy ENV12 and HOUS6 as listed above.

Design

Both the height and footprint of the proposed outbuilding is of a scale appropriate to the plot and host dwelling. The proposed materials are sympathetic and blend in well to the surrounding built and natural environment. The proposed development would appear as a subservient addition. The proposed development would not have an adverse impact on the visual amenities of the site or locality.

Amenity

Whilst some concerns were raised by a representative regarding the intended use of the outbuilding and the possibility of overlooking, it is unlikely that the development would be detrimental to neighbouring amenity. The intended use of the building is as a workshop/garage. It is of a small enough scale that any intended use and resultant disturbance caused would be of an appropriate domestic nature. All windows are at ground floor level and any side windows (west elevation) would be unlikely to result in overlooking due to the boundary fence obstructing views. Furthermore, there is a significant distance between neighbouring dwellings with the closest building being an outbuilding/garage to a neighbouring property.

The proposed development would not have a significant adverse impact on the living conditions of occupiers of residential properties in accordance with policy ENV16 of the Local Plan.

Highways

The Highways Authority were consulted as part of this application and raise no objection, subject to conditions (which are attached). The outbuilding is unlikely to result in a significant increase in vehicles, the site has ample parking and turning and the existing access to the site is unaltered. It is considered that the proposal will not compromise road safety and there is sufficient parking.

AONB

The site has well defined boundaries and the proposed development does not encroach onto views of the wider AONB due to its position within the plot. Furthermore, the proposed scale and materials are typical of an outbuilding and considered to be subservient to the host dwelling and surrounding built environment. It is considered that the proposal will not detract from local landscape character in accordance with policy ENV1 and ENV10 of the Local Plan.

Biodiversity

Having had regard to the submitted Biodiversity Plan and Certificate of Approval, it is considered that the proposal will have no adverse impact on biodiversity interests. The proposal includes provision for the bats found on site by the inclusion of a bat box and ridge access and an appropriate condition has been added to the application ensuring compliance with the biodiversity plan.

Trees

There are two Tree Protection Orders (TPO) on site and a number of well-established trees. The tree officer was consulted and requested further information to assess how the development will impact trees. The applicant has since provided an arboricultural impact assessment (AIA) and tree protection plan (TPP). Suitable conditions are added to ensure compliance of the measures outlined within the submitted documents.

Following the carrying of the AIA and TPP, the floor plan of the outbuilding was amended to reduce it. The tree officer was re-consulted and considers the proposed development has been adapted sufficiently to ensure it does not detrimentally impact protected trees on site and as such is acceptable.

15.0 Conclusion

The proposed development complies with the development plan taken as a whole and there are no material considerations that would indicate otherwise, and the relevant sections of the National Planning Policy Framework as already listed.

16.0 Recommendation: Grant, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
23/026/01 Location Plan
23/026/03 Proposed Block Plan
23/026/04 Existing Elevations/Floor Plans
23/026/05 Proposed Elevations/Floor Plans

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

3. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Impact Assessment, Arboricultural Method Statement by NB Tree Management Arboricultural Consultancy ref: Sunnysdale–29.5.25 date: 29th May 2025, setting out how the existing trees are to be protected and managed before, during and after development.

Reason: To ensure thorough consideration of the impacts of development on the existing

trees.

4. The proposed car port shown on Drawing Number 23/026/05 Rev C hereby approved once constructed shall be maintained and available for the purpose of parking a motor vehicle. It shall not be converted to a use other than as a garage for the purpose of parking a motor vehicle by the provision of doors and/or walled enclosure.

Reason: To ensure that satisfactory on-site parking is provided in a form that allows a vehicle to freely turn within the site curtilage

5. The detailed biodiversity mitigation, compensation and enhancement strategy set out within the approved Biodiversity Plan, certified by the Dorset Council Natural Environment Team on 14/01/2025, must be strictly adhered to during the carrying out of the development.

The development hereby approved must not be first brought into use unless and until:

- i) the mitigation, compensation and enhancement measures detailed in the approved Biodiversity Plan have been completed in full, in accordance with any specified timetable.
- ii) evidence of compliance, including photographic evidence, in accordance with section J of the approved Biodiversity Plan has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved Biodiversity Plan and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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 application was acceptable as submitted and no further assistance was required.