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| <b>Reference No:</b> P/FUL/2025/06711                                                                      |
| <b>Proposal:</b> Carry out external alterations to barn and change of use to office - Use Class E (g) (i). |
| <b>Address:</b> Land East of Hermitage Village Hall Hermitage Lane Hermitage                               |
| <b>Recommendation:</b> Grant permission subject to conditions                                              |
| <b>Case Officer:</b> Cass Worman                                                                           |
| <b>Ward Members:</b> Cllr Kippax                                                                           |
| <b>CIL Liable:</b> No – is not a dwelling and therefore charge is set as £0 per square metre CIL rate      |

|                                |                                                                                                   |                                 |                  |
|--------------------------------|---------------------------------------------------------------------------------------------------|---------------------------------|------------------|
| <b>Fee Paid:</b>               | £588.00                                                                                           |                                 |                  |
| <b>Publicity expiry date:</b>  | 29 December 2025                                                                                  | <b>Officer site visit date:</b> | Previous         |
| <b>Decision due date:</b>      | 5 January 2026                                                                                    | <b>Ext(s) of time:</b>          | 13 February 2026 |
| <b>No. of Site Notices:</b>    | 2 – one on gate at entrance into site, one on pole adjacent to phone box in Village Hall car park |                                 |                  |
| <b>SN displayed reasoning:</b> | To advertise application                                                                          |                                 |                  |

### 1. Decision making:

Following Scheme of Delegation consultation, the Chair and Vice Chair of the Northern Area Planning Committee have referred the application for Committee consideration.

### 2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report

### 3 Reason for the recommendation

- The principle of commercial use on the site has already been established
- The proposal can be supported under Local Plan Policy ECON6.
- Previous appeal allowed external alterations to the building (cladding and new doors/windows) and concluded that this would result in improvement to the character and appearance of the site
- Proposed pitched roof would have an acceptable impact on the character and appearance of the area

### 3. Key planning issues

| Issue                                                                        | Conclusion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Principle of development                                                     | <p>The proposal can be supported under Local Plan Policy ECON6.</p> <p>There is extant permission for commercial use of the building which is a material consideration in the planning balance.</p> <p>Appeal Decision Ref: APP/D1265/W/24/3350867 allowed external alterations to the building, namely recladding and insertion of doors and windows, and associated discussion of resultant <b>improvement to the character and appearance of the site/area</b> is a material consideration in the planning balance.</p>                   |
| Scale, design, impact on character and appearance                            | <p>The Inspector's opinion was that external alterations to the building would improve the appearance of the building by replacing the existing mix of external cladding and timber boarding with new cladding. The site is between village hall and existing bungalow, therefore a more 'solid' building with dark coloured cladding would not be adversely incongruous in the setting. The proposed pitched roof would be wholly in character with the site and its surroundings, the rural character of the site would be maintained.</p> |
| Impact on the living conditions of the occupants and neighbouring properties | <p>No concerns, the building is detached and a suitable distance from neighbouring properties to ensure no significant disturbance from proposed office use. There are no concerns with regards to overlooking, overshadowing or overbearing.</p>                                                                                                                                                                                                                                                                                            |
| Economic benefits                                                            | <p>Provision of 1 unit of office accommodation would result in associated support to local business</p>                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Highway impacts, safety, access and parking                                  | <p>No adverse impacts – conditions required</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Impact on trees                                                              | <p>No adverse impacts, all existing trees and hedgerows to be retained</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Biodiversity                                                                 | <p>No adverse impacts – An ecologist has assessed application site and BNG on-site enhancements would be secured via BNG conditions</p>                                                                                                                                                                                                                                                                                                                                                                                                      |

#### 4. Description of site

The building is in the hamlet of Hermitage, a small settlement without a defined development boundary. The application building is set back from the road and adjacent to the boundary with the village hall. A detached bungalow lies beyond its eastern boundary with open countryside to the south and across the road to the north beyond a belt of trees.

Whilst it is utilitarian and functional in appearance, the low height of the building coupled with the existing trees, the boundary hedgerows and its position between two more substantial buildings means it is not currently prominent in the landscape.

As a rural building, of an agrarian form and clad in materials commonly found on rural buildings in the countryside, the Inspector considered that the building currently makes a modest

contribution to the character of its surroundings.

## 5. Description of development

Change of use of building to office.

The application also includes alterations to reclad the building (as previously approved in the allowed appeal and subsequent application P/FUL/2025/02907), to install doors and windows, and to install a pitched roof to the structure.

The application is also made to correct an error in the decision notice for P/FUL/2025/02907 which restricted the office use to Use Class E(c) (Financial and Professional services) instead of E(g)(i).

The application is described Carry out external alterations to barn and change of use to office – use class E(g)(i)

**E(g)** Uses which can be carried out in a residential area without detriment to its amenity:

- **E(g)(i)** Offices to carry out any operational or administrative functions,

With regards to the installation of windows and doors, and installation of new replacement external materials (roof and wall cladding), these works for all external alterations have already been permitted by allowed appeal for APP/D1265/W/24/3350867 ref P/FUL/2024/01720.

This application follows approval of P/FUL/2025/02907 “Change of use of building to holiday accommodation or office, and carry out associated works”. The applicant does not wish to pay the CIL charge which has been issued for the associated holiday accommodation use, and as such this application is for office use only which is charged at £0 CIL rate.

## 6. Background and site history

The building currently occupying the site was granted permission at appeal in 1992, ref 1/N/92/0025.

In September 2023, the Council was given notice under paragraph R.3.(1)(a) of the GPDO of the appellants’ intention to use the building on the site as “an apart hotel (use class C1)” under Class R. As a proposal with a floor space less than 150sqm, Matters of Prior Approval are not required to be considered for Class R change of use for these smaller buildings.

The Council stated in their response to this notification, their concerns that a) the building did not comply with the requirements of Class R (in that the building was not considered to be agricultural) and b) the building was insufficient for the proposed use.

Subsequent planning application P/FUL/2024/01720 “Carry out external alterations to barn to facilitate permitted commercial use” was refused by the Council for 2 reasons:

*Refusal Reason 1: The application building does not benefit from Permitted Development to change use to C1 hotel under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 3 Class R - Class R – agricultural buildings to a flexible commercial use: The building is not an agricultural building, as defined in the GPDO: “agricultural building” means a building (excluding a dwellinghouse) used for agriculture and which is so used for the purposes of a trade or business; and “agricultural use” refers to such uses; Public representations have been received which confirm that the land has not been actively farmed since the early 1990s, following severance of the building and associated small parcel of land from the main farm holding; and with the shelter/building informally let to a third party for non-*

*agricultural storage purposes between 2003-2009. The definition of agricultural building is not aimed at the lawful use but the actual use of the building, this is reinforced by the wording "which is so used for a trade or business". To fall into definition of "agricultural building" for the purposes of Class R, there has to be a current active agricultural use, which there is not. Therefore, the change of use would require planning permission. Planning Permission for the change of use has not been secured, and therefore the application is refused due to lack of information.*

*Refusal Reason 2: The application is described as an 'Aparthotel', however insufficient information has been presented which demonstrates that the proposed unit would offer facilities which would typically be found in apartment within a hotel complex - there is only one such unit of accommodation, and there are no communal shared spaces or facilities (such as reception area, laundry facilities, restaurant, catering provision, spa or gym), and no self-catering element. Therefore notwithstanding the consideration of 'agricultural building' above, the application is not considered to comply with the requirements of Class R as the proposed use fails to meet the definition of Use Class C1 (hotels).*

This application was then subsequently considered by the Planning Inspectorate. The Inspector considered that the external alterations to the building were acceptable and when allowing the appeal, the Inspector removed "to facilitate permitted commercial use" from the decision.

As such, there is extant permission for external operations, including insertion of doors and windows, and installation of new and replacement wall and roof cladding following allowed appeal APP/D1265/W/24/3350867 ref P/FUL/2024/01720.

Following this appeal decision, the applicant's agent sought further pre-application advice, and subsequently a planning application for subsequent change of use (in combination with previously approved external alterations) to holiday use or office use was subsequently made and approved ref P/FUL/2025/02907 "*Change of use of building to holiday accommodation or office, and carry out associated works*".

This this current application is for an office use only and proposes a pitched roof to the building.

The application is also made to correct an error in the decision notice for P/FUL/2025/02907 which restricted the office use to Use Class E(c) (Financial and Professional services) instead of E(g)(i) (office use).

## **6.1 Relevant planning history**

1/N/70/516651 - Decision: REF - Decision Date: 08/03/1973  
Develop land by erection of a dwelling

1/N/70/516817 - Decision: REF - Decision Date: 13/04/1973  
Develop land by erection of a dwelling Dismissed on appeal 6.11.73

1/N/82/000011\_1 - Decision: REF - Decision Date: 10/02/1982  
Develop land by erection of a dwelling

1/N/92/000025 - Decision: REF - Decision Date: 19/03/1992  
Erect agricultural equipment shelter Associated Appeal allowed 20/07/1992

1/N/98/000028 - Decision: REF - Decision Date: 12/03/1998  
Develop land by the erection of a chalet bungalow Associated Appeal Dismissed 18/11/1998

1/D/08/000605 - Decision: PDR - Decision Date: 14/04/2008 - Erect livestock shelter

1/D/08/000841 - Decision: PNA - Decision Date: 23/05/2008 - Erect agricultural store

WD/D/18/001055 - Decision: WITDRAWN - Decision Date: 30/01/2019 - Demolition of existing agricultural equipment shelter and erection of dwelling (Holiday Cottage)

P/PDN/2023/05130 - Decision: RES - Decision Date: 19/09/2023

Notification of intention to undertake a change of use of an agricultural building to an apart hotel (use class C1) utilising permitted development rights granted under Class R (pt 3 of schedule 2) of the GDPO (2015) as amended

P/FUL/2024/01720 - Decision: REF - Decision Date: 14/06/2024 - External operations to facilitate use of building as ApartHotel. Appeal APP/D1265/W/24/3350867 ref

P/FUL/2024/01720 – ALLOWED with Amended Description 26 February 2025

P/PAP/2025/00193 - Decision: RES - Decision Date: 08/05/2025 - Change of use of barn to holiday accommodation.

P/FUL/2025/02907 – Decision – GRANTED – Decision Date: 24 September 2025

Change of use of building to holiday accommodation or office, and carry out associated works

## 7. List of constraints

LP - SUS 2; Land Outside DDBs; NULL - Distance: 0 PROW - Right of Way: Bridleway N14/8; - Distance: 22.52 PROW - Right of Way: Footpath N15/1; - Distance: 41.04

DESI - Site of nature conservation interests (SNCIS): ST60/091 - Stonerush Drove; - Distance: 45.76

## 8. Consultations

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

### Consultees:

#### High Stoy Parish Council

Object on the following summarised grounds:

- The appeal was granted only to allow cladding of the existing structure, existing structure cannot be converted in the way illustrated
- Amendments to the shed structure is contrary to previous approvals
- Use of site for a construction company is unsuited for the site – use should be restricted
- The submitted structural appraisal is superficial, inappropriate and lacks credibility.
- The submitted plans are not clearly dimensioned and are vague and inadequate; the plans do not show how tall the building is and is within 2m of the boundary and should be less than 2.5m  
*Officer Note – it appears that this is a referral to permitted development for residential dwellings, which is not applicable here*
- Landscaping will not hide the building from the highway once the visibility splay is established
- The use of black corrugated cladding is unacceptable and would be a disharmonious intrusion in the village

- Provision of commercial premises is already made at the Hermitage Business Park - such duplication is neither necessary or justified
- The Parish Council highlight and support other objections from Hermitage residents and Hermitage Village Hall Management Committee

### **Yetminster Ward – Cllr Kippax**

*Having visited it some months ago I am familiar with the land in question and met a number of residents of the Parish who are most concerned about the proposed development.*

*I have carefully read through the High Stoy Parish Council Objections (attached) and would like it recorded that I fully support and appreciate the concerns raised and queries about the accuracy of details as well as points of information*

### **DC - Highways**

*No Objection to the proposal subject to condition previously applied*

### **DC - Dorset Waste Team**

*Previous comments:*

*As the proposed use will be holiday accommodation or office space, all waste and recycling materials generated will be treated as commercial waste and must be paid for using a licenced contractor. Waste and recycling materials will need to be presented for collection at the entrance to the site where it joins Hermitage Lane. The parking/turning surface should be constructed from hardstanding material, suitable for wheeled bins.*

### **DC - Trees (North West Weymouth)**

*Previous comments:* No objection in principle - Tree protection information is required

### **DC - Building Control North Team**

No comments received

**Ramblers Association** - No comments received

**DC - Rights of Way Officer** No comments received

### **Representations received**

#### **Summary of comments of objections:**

*Comments from Hermitage and Hilfield Village Hall Management Committee*

- Existing structure cannot accommodate a pitched roof, it has no foundations and the works would be over and above what could be described as 'alterations' to the existing building.
- The increased height of the structure as a result of the pitched roof, in combination with the proposed materials would result in a building out of character for the rural setting.
- Office use is unclear, opening hours should be provided and concerns that the site would become a storage facility for the applicant's building company.
- Concerns with regards to increased vehicle movements and resultant impact on highways safety and deterioration of road surfaces.
- Impact on barn owls
- Errors and inconsistencies in application: There is no existing parking

Hermitage residents' summary of objections:

- Pitched roof will require a re-building of the existing structure, it cannot be considered as an alteration
- Previous permissions did not allow a rebuilding of the existing structure or increase in height
- No benefit to local community or local business
- Hermitage already has a business park
- Piecemeal applications shouldn't be allowed
- Proposals contrary to local plan policy ECON1
- The building is not convertible to be suitable for the proposed uses, it would have to be a rebuild which is not supported by local plan policies and contrary to previous permissions
- Hermitage has poor infrastructure, no public transport – results in an increase in vehicle trips
- Commercial use would result in disturbance and impact rural character and to neighbours
- Concerns it would be used to store building materials
- Not related to a local need
- The application is incomplete, misleading and incorrect (issues with address, plans, use of the site, waste collection arrangements, existing parking provision, biodiversity, visibility splays)
- Insufficient parking provision
- Increase in vehicle numbers, impacts on highways safety
- Cutting back of hedgerow and associated impacts on biodiversity
- Structural survey is insufficient
- Structure cannot accommodate a pitched roof
- No demand or justification for proposed uses
- Lack of biodiversity survey and impacts on biodiversity
- Condition regarding detail of materials required by previous decisions have not been addressed, these should be submitted instead of repeated new applications.
- Opening/operating hours should be specified
- BNG is required
- Materials proposed are unacceptable, black cladding would harm local character
- Proposed pitch roof would be visible from the road and over the hedge, it is too tall and would be out of character with the village aesthetic
- Incremental applications shouldn't be allowed
- This change to the roof will only result in increased footprint of the building later on, and then an application to convert it to a house
- Proposed package treatment plant and soakaway would not be implementable due to site constraints and drainage
- Proposed hedgerow would cut off access to the neighbouring package treatment plant
- Application is contrary to Class R of the GPDO
- Application is CIL liable
- Site is not currently used for agricultural purposes
- Impact on quiet rural character of the village
- Concerns regarding contamination of water supply which crosses the site/lack of mains drainage
- Soakaways would not be successful due to ground conditions
- No consultation has taken place with local community or the village hall

## **9. 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.

## **10. Relevant policies**

## **Development plan:**

### **Local Plan Adopted West Dorset and Weymouth and Portland Local Plan:**

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

INT1: Presumption in favour of sustainable development  
ENV2: Wildlife and habitats  
ENV10: The landscape and townscape setting  
ENV12: The design and positioning of buildings  
ENV13: Achieving High Levels of Environmental Performance  
ENV15: Efficient and Appropriate Use of Land  
ENV16: Amenity  
SUS2: Distribution of development  
SUS3: Adaptation and re-use of buildings outside defined development boundaries  
ECON1: Provision of employment  
ECON8: Diversification Of Land-Based Rural Businesses  
COM7: Creating a safe and efficient transport network  
COM9: Parking provision

## **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 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 plan should be accorded very limited weight in decision making.

### **National Planning Policy Framework 2024 (as amended 2025)**

Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless 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 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed 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 great weight to be given to conserving and enhancing the landscape and scenic beauty. Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

## **National Planning Practice Guidance**

**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.

## **11. 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.

## **12. 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 very little information presented in the application as to intended occupiers of the proposed office; officers do not consider that anyone with a protected characteristic would be affected by the proposal.

### **13. Public Benefits**

- Provision of an employment (office) space for a local person/business - small scale economic benefits for the operator/occupant
- Support to local tradespeople who would carry out associated works to facilitate the change of use and operational development.
- The scheme would find use for a building (and site) currently 'in limbo'.

### **14. Planning Assessment**

#### **14.1 Principle of development**

Policy INT1 of the West Dorset, Weymouth and Portland Local Plan (2015) (LP) states that there will be a presumption in favour of sustainable development that will improve the economic, social and environmental conditions in the area.

In this regard, the spatial strategy for development is set out in LP Policy SUS2. The strategy is based on the needs and size of the area's settlements, and the benefits of concentrating most development in locations where homes, jobs and facilities will be easily accessible to each other, and there is a choice of transport modes.

Policy SUS2 therefore dictates that most development will be located in the larger and more sustainable settlements. Development in rural areas will be directed to settlements with defined development boundaries (DDB's). As the site does not fall within a DDB, it lies in open countryside where development is strictly controlled and is limited to specified categories. New employment development is one such category listed in Policy SUS2 iii), and therefore the principle of office use would be in accordance with SUS2.

Policy SUS3 covers the adaptation and re-use of existing buildings outside DDBs. The existing building (with the amendments allowed by the Inspector) would be of permanent and substantial construction, and makes a positive contribution to the local character, and would not need to be substantially rebuilt or extended : the comments of the Inspector are a material consideration here: *that the external alterations would improve the appearance of the building and would make a positive contribution to the character of its surroundings.*

The proposal for employment use (office) is therefore in accordance with Para iii) of SUS2 and Para ii) of SUS3

The site and building does not currently form part of an established agricultural holding. The appeal decision allowed alterations to the building, via the installation of new and replacement wall and roof cladding, and insertion of windows and doors. This decision established a building which would be of permanent and substantial construction, would make a positive contribution to the local character, and would not need to be substantially rebuilt or extended.

Subsequently, application P/FUL/2025/02907 for change of use to office use or holiday let has been approved and is extant.

This has secured a use for the building and site which was 'in limbo' without a current use. It is considered that following the Inspectors decision, that applications to re-use the building in a way which would accord with the Development Plan as a whole with economic, social,

environmental benefits should be favourably considered, rather than leaving the site with a nil use.

This application proposes a new pitched roof, in addition to external alterations (cladding and new windows and doors) as already allowed by the Inspector, but with a different design.

Objectors to the scheme state that the existing building cannot accommodate the proposed new pitched roof, and that the application is tantamount to a re-build of the existing structure. However, an addendum to the structural survey has confirmed that *“there are no adverse structural effects of this option”* [to install a pitched roof] and there is no evidence to dispute this.

### **Assessment of Local Plan Policy ECON1: Provision of employment (Proposed Office Use)**

The preamble to this policy states *“...it is recognised that small-scale employment development in rural areas, through... the re-use and adaptation of existing buildings... is of value even though such development is unlikely to be served by public transport.”*

Therefore, it is clear that a flexible approach to provision of employment uses in rural areas on a case-by-case basis is appropriate under this policy.

ECON1 defines in para i) where employment development will generally be supported, and this includes through the re-use or replacement of an existing building.

The requirement for a local connection is not a requirement of policy ECON1.

Therefore, the application for Office use meets the criteria of Local Plan Policy ECON1.

### **Conclusion – principle of proposed office (employment) use**

The proposal continues to be in accordance with Local Plan Policies ECON1, ECON2, SUS2 and SUS3 as the existing building is stated to be re-used.

Objectors to the scheme state that the existing building cannot accommodate the proposed new pitched roof, and that the application is tantamount to a re-build of the existing structure. Objectors state that the building was ‘never convertible in the first instance’.

As discussed previously, a structural report was submitted in support of application P/FUL/2025/02907 which stated that the building could be converted in association with the previously approved alterations to provide the office accommodation. The Inspector allowed alterations to the building which makes it inherently more convertible.

Subsequently, application P/FUL/2025/02907 was approved for “Change of use of building to holiday accommodation or office, and carry out associated works”.

This is a material consideration, the Inspector’s decision and P/FUL/2025/02907 remain extant and due to the active engagement from the applicant and agent to secure a use for the site via the appeal and these subsequent planning applications, it is Officer opinion that there is a realistic prospect of these consents being implemented. As such, Officers consider these to provide a legitimate fallback position.

This application is supported by an updated letter from the structural engineer dated 21 October 2025 titled “Pitched Roof Question” which states that there are no adverse structural effects of this option to install a pitched roof onto the building. Whilst a simple statement, there are no reasons for which the Council can refute this assertion of the structural engineer.

As such, as the principle of the change of use to Office has already been established following approval of P/FUL/2025/02907, the principle of the proposed use of building must be accepted, and an assessment of a pitched roof made.

As discussed below, the addition of a pitched roof is not considered to result in significant resultant harm to the character of its surroundings. There would be some small economic benefits via the provision of a small unit of employment (office) accommodation. Policy ECON1 does not require a local connection. The application is made specifically for Office Use Class E (g) (i) which is acceptable in a residential environment

**E(g)** *Uses which can be carried out in a residential area without detriment to its amenity:*

- **E(g)(i)** *Offices to carry out any operational or administrative functions,*

The proposal would therefore comply with the Framework, and Policies ECON1, SUS2 and SUS3 of the West Dorset, Weymouth and Portland Local Plan 2015 with regards to re-use of buildings in the countryside, and Policy ENV12 which seeks to respect and enhance local character.

## 14.2 Design and Layout

### Materials

Objectors to the scheme do not support the proposed materials pallet which has been submitted which show black corrugated cladding. For this small building, an all black clad building would not in officer opinion be harmful in this setting, it would be quiet and agrarian, and would retain the rural character of the site.

As discussed above, the principle of the external works (cladding and insertion of doors and windows) was supported by the Inspector: *the external alterations would improve the appearance of the building and would make a positive contribution to the character of its surroundings* and this is a material consideration in the planning balance.

### Design – pitched roof

Concerns are raised as to the resultant impact on the character of the area from the proposed change of use and new roof.

The proposed pitched roof is not overly tall, ostentatious nor unusual in this rural setting, it would not result in a significant increase in visual impact over and above the previously approved mono-pitch roof. The building remains single storey.

A simple pitched roof does not result in a significant increase in the building's height, and in officer opinion does not result in a significant increase in the dominance of the building within its setting. A pitched roof is characteristic of many types of building the countryside, including the Village Hall adjacent, and the bungalow on the other side of the site. The proposed addition of a pitched roof retains the building as single storey, low key and subservient in its setting.

### Street Scene, Use and Landscaping

The building is set back from the site entrance.

The proposed use is specified as Use Class E (g) (i):

**E(g)** *Uses which can be carried out in a residential area without detriment to its amenity:*

- **E(g)(i)** *Offices to carry out any operational or administrative functions,*

This use class does not permit outdoor storage of materials. It should be acknowledged that office/administrative functions typically are not associated with a requirement for outdoor storage, and if the office were to be occupied by a building contractor as suggested, it is unlikely that materials would be stored in the open in any case where they would be at risk from theft. A planning application would be required for any proposed provision of storage facilities as there are no permitted development rights for this use type for provision of outbuildings. The use would be restricted via condition to E(g)(i) only.

The location of the site between an established residential bungalow and the village hall is not 'isolated' and the site is not overly prominent in the street scene. The small size of the building would be 'self-limiting' in the amount of required car parking for users of the office space, and as an office/administrative use, associated paraphernalia is likely to be minimal. The landscaping shown on the site plan is simple and not ostentatious.

### Character

As such, the proposal is considered to accord with Local Plan Policy ENV12 in that the general design would be in harmony with the adjoining buildings and area as a whole, and materials are sympathetic to the natural and built surroundings.

## **14.3 Amenity**

The building is detached, single storey and set back into the plot. The distances between the application building and the nearby bungalow are such that there are no concerns with regards to overlooking. The building would remain single storey. A pitched roof is proposed, but this does not significantly increase the height of the building and as such there are no concerns with regards to overshadowing or overbearing due to the distance from the neighbouring dwelling.

A change in use to office use would not in officer opinion result in any significant increase in disturbance to occupants of nearby residential dwellings so as to warrant refusal of the application. It is acknowledged that opening hours are not specified, but as the use would be restricted to Use Class E(g)(i) by condition, it would not be reasonable nor necessary to restrict opening hours of an office in which to carry out operational or administrative functions. The proposal would comply with Policy ENV16 of the Local Plan.

## **14.4 Access and Highways**

The Highways Engineer has no objection to the proposals subject to condition previously attached to permission P/FUL/2025/02907, stating:

*Due to the location of the access, the visibility to the west has an unobstructed sightline of 41.5 metres. This would normally be sub-standard due to the speed limit of the road. After a site visit driving from the west travelling east to assess the speed one can travel to negotiate the sharp bend and taking into consideration of an existing access by the hall before you get to the proposed new access my findings are: 20-25mph, 41.5 metres unobstructed line of sight is adequate and no unacceptable impact on highway safety was identified.* Sufficient turning and parking space is to be provided. The proposal would comply with policy COM7: Creating a safe and efficient transport network and COM9: Parking provision

## **14.5 Trees and biodiversity**

No tree removal is required, plan 23-133-05 showing how the visibility splays can be provided retaining the ash tree and hedge to the front of the site; a pre-commencement tree protection condition would ensure this.

The building is not suitable for roosting bats and there was presence of nesting birds.

On-site Biodiversity Net Gain (BNG) would be provided, via planting of 5 new trees, a new species rich native hedgerow and an area of mixed scrub – this would be secured by condition.

## **14.6 Flooding**

The site is not within an area identified as susceptible to groundwater emergence, and not within any mapped areas at risk of surface water flooding. The site is in Flood Zone 1. As re-use of an existing building, with no extensions there would be no increase in surface water runoff

from the building. Taking into consideration the low risk of the site, it is not considered necessary to require details of proposed hard surfacing, Officers are satisfied that the proposals would not increase the risk of flooding elsewhere.

#### **14.7 Other matters**

The applicant has provided clarity via site plan ref 23/133/03 Rev D which demonstrates that a new Package Treatment Plant could be provided on site, details which would be subject to building regulations.

Comments that the proposed scheme might not be implementable due to site constraints of ditches, soil type and site layout are noted, however there is space around the building to establish services, and the structural survey has not identified these matters as a significant constraint to the development.

Similarly comments that the proposed pitched roof might not be implementable due to lack of foundations are noted, however the structural survey has not identified this matter as a significant constraint to the development.

The proposed landscaping shows the neighbouring package treatment plant would be accessible from the field. The provision of a new species rich native hedgerow is a benefit of the scheme for both biodiversity and landscaping softening, and this should be taken into account in the planning balance consideration.

The lack of applications to discharge conditions and a perceived 'piecemeal' approach is acknowledged, however successive applications are 'allowed' and must each be judged on their own merits.

#### **15. Summary of issues and the planning balance**

The principle of office use fully complies with the Framework, as well as Policies ECON1, SUS2 and SUS3 of the West Dorset, Weymouth and Portland Local Plan 2015 with regards to re-use of buildings in the countryside, and LP Policy ENV12 which seeks to respect and enhance local character.

The proposal is considered to accord with Local Plan Policy ENV12 in that the general design would be in harmony with the adjoining buildings and area as a whole, and materials are sympathetic to the natural and built surroundings. The pitched roof would not result in an overly dominant or ostentatious form of development and is wholly appropriate within the rural setting. Details of colour would be agreed at condition.

The proposals follow a previous approval for change of use for a site and building previously 'in limbo' with associated economic, environmental and social benefits as outlined above.

Accordingly, the proposal accords with the development plan as a whole and there are no material planning considerations, including residential amenity, highways safety, flooding, trees and biodiversity, character and appearance which would indicate the application should be refused

#### **16. Recommendation:** Approve 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:

19141 - 1 D Location Plan

23/133/01 A Site Plan

23/133/02 Existing Floor Plans and Elevations

23/133/03 D Proposed Site Plan

23/133/05 Block Plan

23/133/06 Proposed Floor Plans and Elevations

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

3. Prior to the commencement of any development hereby approved, all existing trees and hedges shown on approved plan 23/133/03 Rev C to be retained, shall be fully safeguarded in accordance with BS 5837:2005 (Trees in relation to construction - recommendations) or any other British Standard that may be in force at the time that development commences and these safeguarding measures shall be retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity

4. The development shall proceed in accordance with details as shown on the approved plans, application form and schedule of materials as shown on the document "Proposed wall and roof cladding", namely black coloured corrugated metal sheeting, powder coated aluminium-anthracite windows and powder coated aluminium-anthracite and timber doors

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

5. Before the development is first occupied or utilised the first 5.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

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.

6. Before the development hereby approved is first occupied or utilised, the turning/manoeuvring and parking shown on Drawing Number 23/133/03 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

7. Before the development hereby approved is first occupied or utilised the visibility splay areas as shown on Drawing Number 23/133/05 must be cleared/excavated to a level not

exceeding 0.6 metres above the relative level of the adjacent carriageway. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any Order revoking or re-enacting that Order, the visibility splay areas shall thereafter be maintained and kept free from all obstruction above this height.

Reason: In the interest of highway safety.

8. Before the development hereby approved is occupied or utilised any entrance gates must be set back a minimum distance of 5.00 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.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, and the Town and Country Planning Use Classes Order 1987 as amended (or any order revoking and re-enacting those Orders with or without modification) the premises the subject of this permission shall not be used other than Use Class E (g) (i) Office use, unless planning permission is granted following application to the Local Planning Authority.

Reason: In the interests of amenity and to ensure that the use remains compatible with surrounding land uses in the area.

10. The development shall not be commenced until a Habitat Management and Monitoring Plan (the HMMP) has been prepared in accordance with the approved Biodiversity Gain Plan and submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:

- i) A non-technical summary;
- ii) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
- iii) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan and a timetable for implementation;
- iv) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of the habitat and enhancement works as set out in the HMMP.
- v) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.

Thereafter the development shall be carried out, along with the management and monitoring of habitat, in accordance with the approved HMMP.

Reason: In the interests of biodiversity to secure the monitoring and management of significant onsite habitats.

11. Notice in writing shall be given to the Local Planning Authority within one month of the habitat creation and enhancement works as set out in the approved HMP having been completed. The notice shall include a completion report evidencing the completed habitat enhancements.

Reason: In the interests of biodiversity to secure the monitoring and management of significant onsite habitats.

### **Informative Notes:**

1. The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at [dorsethighways@dorsetcouncil.gov.uk](mailto: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
2. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

The Natural Environment Team, Dorset Council recommends that vegetation, hedge, shrubs and tree removal; translocation or cutting back avoids the bird nesting season which runs from mid-February to 31st August. This is in order to avoid impacts to nesting birds and infringement of the legislation.

Vegetation or site clearance as a result of this development should be undertaken outside of the nesting season specified above. In some seasons the nesting period may start before or extend beyond these dates, so the applicant should be aware that the dates are a guide only.

If clearance work has to be undertaken during the nesting season, a breeding bird survey needs to be carried out by a suitably qualified person no more than 48 hours before clearance /cutting works commence. Any active nests identified should be protected by a 5m exclusion zone until the young have left the nest.

As a general rule, it should be assumed that birds will be nesting in trees, scrub, reeds or substantial ditch side vegetation during the core breeding period, unless a survey had shown this not to be the case. In addition, some species are ground nesting, such as the skylark and lapwing, both of which can occur on grassland areas and cleared sites where there is a time lapse between demolition and development.

3. As the proposed use will be office space, all waste and recycling materials generated will be treated as commercial waste and must be paid for using a licenced contractor. Waste

and recycling materials will need to be presented for collection at the entrance to the site where it joins Hermitage Lane.

#### 4. 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 was provided with pre-application advice.