

Application Number:	P/FUL/2025/06517
Webpage:	Planning application: P/FUL/2025/06517 - dorsetforyou.com
Site address:	Barn Opposite Old Quarry Close, Worth Matravers
Proposal:	Partial Demolition, external alterations and change of use to create three residential dwellings with associated landscaping and parking.
Applicant name:	County Gates Developments Ltd
Case Officer:	Cari Wooldridge
Ward Member(s):	Cllr Wilson

1. Reason application is going to committee:

This application comes before the planning committee at the request of the Eastern Planning Committee Chair.

2. Summary of recommendation:

GRANT planning permission subject to conditions as set out in section 17.

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable. Supply of three additional dwellings in accordance with Policy H2 of the Purbeck Local Plan 2024. Outside of any settlement and within the Dorset National Landscape but the proposed dwellings benefit from the presumption in favour of sustainable development as set out in paragraph 11(d) of the NPPF.
Affordable housing and second homes restriction	Acceptable subject to second homes restriction condition.
Scale, design and impact on the character and appearance of the area including the Dorset National Landscape	Acceptable subject to conditions.
Impact on neighbour and occupier amenity	Acceptable.
Highway safety, access and parking	Acceptable subject to conditions.
Biodiversity impacts	Acceptable subject to conditions.

Issue	Conclusion
Flood risk and drainage	Acceptable.
Site contamination	Acceptable subject to condition.
'Tilted Balance' Assessment	In light of the lack of a 5-year housing land supply and the principle of 'tilted balance' of paragraph 11(d) of the NPPF, the adverse impacts of granting the consent for the three new dwellings within the countryside and Dorset National Landscape are not considered to be so significantly and demonstrably harmful as to outweigh the benefits of the additional dwellings towards the area housing land supply.

4. Description of site

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

5. Description of development

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

6. Background and relevant planning history

6/1980/0517	-	Decision: GRA	-	Decision Date: 17/10/1980
Erect extensions to existing agricultural building.				
6/1994/0026	-	Decision: REF	-	Decision Date: 28/02/1994
Change use of agricultural barn to form a camping barn.				
P/CLE/2023/00563	-	Decision: GRA	-	Decision Date: 28/03/2023
Use of a redundant agricultural barn for commercial storage under Use Class B8				
P/FUL/2024/00712	-	Decision: REF	-	Decision Date: 10/04/2024
Partial demolition and conversion of existing barn to form three dwellings, with associated landscaping and parking				
Reasons for refusal:				

1. Insufficient information has been provided in the form of a suitably scaled drawing to include site access visibility splays within the applicant's landownership and in accordance with guidance within the Manual for Streets to determine that the proposal would not result in material harm to the transport network or to highway safety. As such, the proposal is not considered to comply with Policy IAT of the PLP 2012 which requires that new development should provide for improved safety and convenience of travel, safe access to the highway, and should provide towards new / improved access to the highway. 2. The proposed development would result in a new and harmfully intrusive level of artificial light pollution into the intrinsically dark landscape and dark night skies of the Dorset National Landscape which would not positively integrate with the rural character and appearance of the area. The proposal does not seek to further the purposes of conserving and enhancing the natural beauty of the Dorset AONB / Natural Landscape and would erode key characteristics of the National Landscape Setting of the application site and village, including their sense of tranquillity, and remoteness associated with the dark night landscape and skies. As such, the proposal is contrary to Section 85 of the Countryside and Rights of Way Act (2000), paragraphs 180 and 182 of the NPPF, Policies LHH & D of the PLP 2012, and the objectives of the Dorset AONB Management Plan 2019-2024 (paragraph 9.3.1 and policy C2(d) and (f)). The level of harm to the key characteristics of the Dorset National Landscape resulting from the artificial light intrusion would be so significant as to outweigh the benefits of the scheme, including the provision of three additional dwellings towards the area housing land supply deficit, and the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF does not therefore apply.
P/FUL/2024/02697 - Decision: REF - Decision Date: 09/10/2024 Partial demolition and conversion of existing barn to form three dwellings, with associated landscaping and parking Reason for refusal: 1. The proposal, by reason of its siting outside the settlement boundary of a small village with a limited range of facilities and within the countryside, would not promote sustainable and accessible development or provide rural housing in a location where it would enhance or maintain the vitality of rural communities. As such, the proposal is contrary to Policy V1: Spatial strategy for sustainable communities of the Purbeck Local Plan 2024 and paragraphs 82 – 84 of the National Planning Policy Framework.
P/FUL/2024/06508 - Decision: GRA - Decision Date: 27/02/2025 Partial demolition, external alterations and change of use to create three holiday lets with associated landscaping and parking

7. List of constraints

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

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

Dorset Heathlands - 5km Heathland Buffer

Purbeck Heritage Coast

Minerals and Waste Safeguarding Area,, Minerals and Waste - Building Stone

Radon: Class: Class 2: 1 - 3% - indicating a less than 3% probability of radon presence.
This classification reflects a low to intermediate level of constraint in relation to radon gas – consult Building Control

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

Natural England - RAMSAR - Distance: 2871.41m, Special Area of Conservation (SAC) (5km buffer): St Albans Head to Durlston Head (UK0019863) - Distance: 143.48m, Special Area of Conservation (SAC) (5km buffer): Isle of Portland to Studland Cliffs (UK0019861) - Distance: 969.17m, Special Area of Conservation (SAC) (5km buffer): Studland to Portland (UK0030382); - Distance: 1268.74m, Special Area of Conservation (SAC) (5km buffer): Dorset Heaths (UK0019857) - Distance: 2871.41m and Special Area of Conservation (SAC) (5km buffer): Dorset Heaths (Purbeck & Wareham) & Studland Dunes (UK0030038) - Distance: 4810.12m

Scheduled Monuments: Group of medieval strip lynchets at East and West Man (List Entry: 1019951) - Distance: 170.62m and a group of medieval strip lynchets at East and West Man (List Entry: 1019951.0); - Distance: 168.31m

8. Consultations

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

Consultees

1. Natural England

No objection subject to mitigation being secured – Dorset Heaths recreation impacts and air quality impacts.

Appropriate Assessment required.

Recommend permission is not granted until the supporting ecological information has been approved by Dorset Council's Natural Environment Team (NET).

Consider seeking advice of the National Landscape Team in accordance with your agreed protocol.

Comments on Appropriate Assessment:

Conclusion is agreed.

Biodiversity mitigation and provisions for Biodiversity Net Gain should be secured.

2. Ramblers Association

No comments received.

3. Dorset Council – Highways

No objection subject to conditions.

Proposal will utilise the existing vehicular access onto Weston Road. A similar scheme to planning applications P/FUL/2024/02697 & P/FUL/2024/06508, where the Highway Authority recommended conditional approvals.

Agricultural use to the barn will be replaced with domestic vehicular movements. The access radii will encourage drivers to emerge with caution.

Parking is proportionate to the guidance; vehicles will be able to turn on site and exit in a forward gear. Applicant has provided a visibility splay drawing aligning to the carriageway geometry. Appear to be 'Slow' road markings and 3-2-1 strips on the adjacent carriageway at intervals to the village threshold. The development is vehicle reliant but there is capacity on site for the applicant to build in a cycle store facility, Ebike charging and EV charging as standard.

4. Dorset Council – Rights of Way

No comments received.

5. Dorset Waste Team

No comments received.

6. Dorset Council – Biodiversity Net Gain (BNG) - Natural Environment Team (NET)

Within scope of Dorset Biodiversity Appraisal Protocol criteria and is supported by an Ecological Impact Assessment. However, this has not been submitted to NET for review and as such has not been approved. Recommend submitted to ensure compliance with wildlife legislation and that biodiversity mitigation and enhancements are secured.

BNG would be achieved on-site. Enhancement / creation of habitat type 'Lowland Calcareous Grassland' is significant. Monitoring and management of habitat for 30 years must be appropriately secured by any permission.

Differences between habitats shown in BNG plans and illustrative site layout. Any changes to design of site may impact on BNG calculations and plans must agree prior to LPA discharging the pre-commencement BNG requirement.

7. Dorset AONB Team

Subject to conditions used for P/FUL/2024/06508, particularly conditions 3, 4, 5, 8, 10, 11, 12, 13 & 14 and the inclusion of a principal residency condition in line with Local Plan Policy H14, we have no objection.

8. Coastal Risk Management

No comments received.

9. Worth Matravers Parish Council

Comment of 12/11/2025:

Request condition added to application to ensure the homes are primary residential properties.

Comment of 03/12/2025:

No material changes from previously refused applications and reasons.

Lack of demonstrable safe access and compliant visibility splays.

Unacceptable impact on dark night skies and tranquillity of Dorset National Landscape.

Unsustainable location outside settlement boundary.

Harmful landscape and character impacts.

Does not contribute to vitality of rural community.

Location unsuitable for further residential expansion of village.

Would introduce a level of residential use, built form, external lighting and domestic activity that is incompatible with the dark skies, tranquillity and rural character of this landscape.

The current barn, rebuilt only recently as a commercial/agricultural replacement structure following a fire, is exceptionally large and not comparable to typical rural or domestic buildings in the area. Adapting structure into three multi-storey dwellings would create a visually dominant residential block out of keeping with surrounding built form. Inappropriate and unjustified form of residential intensification.

Would extend private, unaffordable residential development outwards from the village, increasing pressure for further speculative development on the open land between the site and Newfoundland Close. Creeping expansion would erode the rural setting of Worth Matravers and harm its well-defined village edge.

No affordable housing and does not secure the dwellings as primary residences, despite the clear requirement in the Purbeck Local Plan.

Previous applications on nearby sites (e.g., Old Quarry Close) were subject to strict controls on the placement of windows to protect residential amenity. Current application proposes windows on all sides of the building which would increase overlooking and compromise the privacy of neighbouring properties.

Ecological assessment does not accurately reflect local wildlife known to be present on and around the site. Proximity to a local bee apiary raises concerns about light spill and ecological disturbance, which remain unaddressed.

Request refusal.

9. Ward Member – Cllr B Wilson

Given recent planning history in relation to this proposed development, I have no objection subject to the development being liable for an appropriate contribution for affordable housing and the proposed properties being sold as primary residences, both policies under the approved Purbeck Local Plan.

Representations received

No representations were received.

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.

Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty) when making any decision which affects such land.

10. Relevant policies

Development plan

In this case the development plan comprises:

Local Plan Adopted Purbeck Local Plan:

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

V1: Spatial strategy for sustainable communities

E1: Landscape

E4: Assessing flood risk

E5: Sustainable drainage systems (SuDs)

E7: Conservation of protected sites

E8: Dorset heathlands

E10: Biodiversity and geodiversity

E12: Design

H2: The housing land supply

H11: Affordable Housing

H14: Second Homes

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:

- 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, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Local Nature Recovery Strategy

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 5 'Delivering a sufficient supply of homes' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed 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. 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 AONB Landscape Character Assessment

Dorset National Landscape Management Plan 2026-31

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

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.

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

Dorset Biodiversity Protocol.

Dorset Council Level 1 Strategic Flood Risk Assessment

District Design Guide SPD

Managing and using traditional building details in Purbeck

National Planning Practice Guidance

Housing land supply

Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government's standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan(s) are out of date and the presumption in favour of sustainable development applies. The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

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.

The siting of the development on the edge of a small village with a limited range of facilities and services would mean that occupants would be reliant upon private vehicle to access facilities elsewhere e.g. shopping, education and medical facilities in Swanage or Corfe Castle. In this respect, the development would disadvantage future occupiers with impaired mobility due to age or disability.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / Value
Material Considerations	
N/A	N/A
Non-material considerations	
Council Tax (based on average Council Tax Band D April 2025 to March 2026)	£2500.58
CIL	£10,876.84

14. Planning Assessment

Background to application

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

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

In October 2024, a further application (P/FUL/2024/02697) for the partial demolition of the barn and conversion into three 4-bedroom homes with associated landscaping and parking sought to address the former reasons for refusal. Considering a newly established five-year housing land supply, this application was refused by the Eastern Area Planning Committee on grounds that the proposal, by reason of its siting outside a settlement boundary of a small village with a limited range of facilities and within the countryside, would not promote sustainable and accessible development or provide rural housing in a location where it would enhance or maintain the vitality of rural communities.

Following the October refusal, an application was submitted for the partial demolition of the barn and conversion into three 4-bedroom holiday let dwellings with associated landscaping and parking. The application was approved subject to conditions by the Eastern Area Planning Committee on 26 February 2025.

Proposed Development

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

The design of the proposals is identical to the previously approved scheme for conversion to holiday lets. The bedroom accommodation is proposed on the ground floor with open plan living accommodation at first floor served by large new window openings and inset balconies. Sliding timber shutters are proposed at first floor level. Sections of the barn are proposed to be removed as part of the conversion – particularly to the rear - to reduce the

mass and visual prominence of the building within the landscape and to provide suitable private external amenity space for future occupants. Proposed materials included timber cladding with Purbeck Stone sections at ground floor. Additional landscape planting is proposed and the existing landscape bund to the rear of the site is to be retained.

Principle of development

The application site is located approximately 70m northeast of the defined settlement boundary of Worth Matravers and is therefore classed as 'countryside' in accordance with Policy V1: Spatial strategy for sustainable communities and the settlement hierarchy of the Purbeck Local Plan 2024. The site is close to but not adjoining the village settlement boundary so cannot benefit from Policy H8: Small sites next to existing settlements.

Policy V1 identifies appropriate locations for new housing. The proposed site does not accord with the local policy requirements as it lies outside any settlement. The policy is silent on the reuse of existing buildings in the countryside.

National and local planning policies support sustainable growth in rural communities whilst recognising the need to retain the intrinsic character and beauty of the countryside. Paragraph 83 of the National Planning Policy Framework (NPPF) advises that in order 'to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.' The proposal would provide three additional market dwellings and future occupants may potentially make a modest contribution to supporting the local facilities currently comprising a pub, a tea and coffee shop, a church and a village hall.

Paragraph 84 of the NPPF advises that new isolated homes in the countryside should be avoided unless there are special circumstances (listed criteria). Criterion 'c' permits the circumstance when *'the development would re-use redundant or disused buildings and enhance the immediate setting.'*

The definition of 'isolated' was considered by the Court of Appeal in *Braintree District Council v Secretary of State for Communities and Local Government* [2018] EWCA Civ 610, [2018] 2 P. & C.R. 9. The court determined that it is for the decision maker to determine 'whether [the development] would be physically isolated, in the sense of being isolated from a settlement' (Braintree 42).

In this case the building is not isolated from other houses, as it is close to housing on the rural exception site to the south of the highway and it lies approximately 70m from the Worth Matravers settlement boundary, albeit access to the settlement is by unlit country roads without consistent pavement. Notwithstanding the proximity to Worth Matravers, this is a 'small village with a limited range of facilities' as identified by the Local Plan settlement hierarchy, and any occupants would be reliant upon private vehicle to access shopping, education and medical facilities in Swanage. In this respect, the site due to its separation from key services and facilities so is not a sustainable location.

A structural survey has been submitted in support of the application which confirms that the building is structurally appropriate and capable of conversion to a residential use. The Certificate of Lawfulness (Existing Use) that was issued in 2023 for the use of the redundant agricultural barn for commercial storage (Use Class B8) confirmed that the Barn had a current B8 Use and was not vacant. Notwithstanding this, the current application form advises that the barn is vacant and that the B8 use ended on 8 September 2024. It is noted that the lawful B8 use of the barn is not safeguarded by way of Policy EE2: Planning for employment of the Purbeck Local Plan 2024 as the site does not form part of the identified employment land supply set out in Policy EE1: Employment land supply. As the proposed

conversion would constitute the re-use of the redundant or disused building and lead to an enhancement of the immediate setting, it is now judged to benefit from exception (c) of paragraph 84 of the NPPF. The proposed conversion to three dwellings (Use Class C3) would also provide towards the housing land supply of the Purbeck area in accordance with Policy H2: The housing land supply of the Purbeck Local Plan 2024.

The Council is no longer able to demonstrate a 5-year housing supply as required by National Policy. Therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan are out of date and the presumption (tilted balance) in favour of sustainable development applies.

Paragraph 11(d) of the NPPF sets out that in such circumstances planning permission should be granted unless policies relating to particular protected assets or areas as set out in footnote 7 of the NPPF would provide a strong reason for refusal or the adverse effects of granting permission would result in harm that would significantly and demonstrably outweigh the benefits. In this case, the relevant assets and areas set out in footnote 7 include the National Landscape, Heritage Coast, and habitats sites.

Affordable Housing and Second Homes Restriction

The Parish Council has objected that the proposal does not provide any affordable housing.

Policy H11: Affordable Housing of the Purbeck Local Plan requires the provision of 20% affordable housing as part of all development for 2 – 9 dwellings where the site is located in a designated rural area (as is the case for this application). However, as with approved application P/FUL/2024/06508, the current application can benefit from 'vacant building credit'.

Paragraph 65 of the NPPF advises that:

To support the re-use of brownfield land, where vacant buildings are being re-used or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.

Footnote 30 of the NPPF advises that the reduction is:

Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.....

On 23rd March 2023 a Certificate of Lawfulness Existing was issued for the use of the agricultural barn for commercial storage (Use Class B8). The B8 use was determined to be lawful as sufficient evidence had been submitted and was available to demonstrate that the use had taken place for at least 10 years. The certificate established the brownfield status of the building.

An assessment of whether the building is vacant must be made. In April 2024, planning application P/FUL/2024/00712 for the partial demolition and conversion of the existing barn to form three dwellings, with associated landscaping and parking was refused. In October 2024, planning application P/FUL/2024/02697 for the same description of development was also refused. The application forms submitted with each of the refused applications confirmed that the building was in a B8 Use and the site was not vacant. However, the application forms for approved application P/FUL/2024/06508 and the current application both advise that the barn of lawful B8 use has been vacant since 8 September 2024. With

no available evidence to the contrary, officers determine that the building is currently vacant albeit with an established B8 use.

Finally, it must be determined whether the vacant building has been abandoned. Court of Appeal judgement in *Hughes v Secretary of State for the Environment* 2000 sets out the test for determining whether the use of a building has been abandoned in planning terms is objective with regard to the following criteria:

- *the condition of the building;*
- *the length of time for which the building had not been used for the relevant use;*
- *whether it has been used for any other purposes (such as intervening uses); and*
- *the owner's intentions (which is not determinative)*

In applying the above criteria to the current application, the following assessment is made:

- the physical condition of the building continues to be of a relatively good state of repair, and the building is structurally sound.
- The buildings have only been confirmed as vacant or out of use since 8 September 2024 and officers are unaware of any intervening uses over this period.
- The owner's intentions to convert the barn were evidenced on the submission of planning application P/FUL/2024/00712 in April 2024. This intention has been re-evidenced by the submission of subsequent applications in October 2024 and November 2024.

Given the limited time that the building has been vacant, its relatively good state of repair and structural soundness, and the very recent intentions to convert the building to residential use (Use Class C3 includes holiday let dwellings), officers are unable to determine that the building has been abandoned. As such, the vacant building credit applies.

Paragraph 27 of the Planning Practice Guidance on Planning Obligations notes that:

Where there is an overall increase in floor space in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be applied which is the equivalent of the gross floor space of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation.

The existing building has a gross internal floor area of 497.8 m². The application proposes partial demolition but also the provision of an internal first-floor level. The proposed gross internal floor area of the building would be 494.2 m² - a reduction of 3.6 m². As the existing building accounts for 100.7% of the proposed development floor area, this results in a reduction of the affordable housing requirement to 0%. There is therefore no requirement for the proposal to provide a commuted sum towards the provision of affordable housing within the former Purbeck area, and the proposal is considered to meet the requirements of Policy H11: Affordable Housing of the Purbeck Local Plan 2024, paragraph 65 and footnote 30 of the NPPF 2024, and Planning Practice Guidance: Planning Obligations in this respect.

In respect of Policy H14: Second homes of the Purbeck Local Plan 2024, this states that new housing within the Dorset National Landscape will only be supported where there is a restriction in perpetuity to ensure that such homes are occupied only as a principal residence. The policy text confirms that the requirement also applies to changes of use to

residential. A condition on the consent (Condition 11) will ensure that the proposal meets the occupation requirement in perpetuity in respect of the three new dwellings.

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

The application site is located within the Dorset National Landscape (formerly AONB) in an exposed and visually prominent location when viewed from the adjacent highway and surrounding areas of the landscape. Section 85 of the Countryside and Rights of Way Act (2000) requires that relevant authorities now seek '*to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB)*'. The NPPF states that the intrinsic character and beauty of the countryside should be recognised (paragraph 187) and requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues (paragraph 189).

Policy E1: Landscape of the Purbeck Local Plan 2024 requires that proposals for development conserve and enhance the natural beauty of the area and are appropriate in appearance, scale, height, layout, density, visual quality and other effects on the landscape character. It requires an assessment to be made of their direct, indirect, and cumulative impacts in relation to the significance of the landscape asset and balance them against other sustainable development objectives. Proposals are expected to conserve and enhance the natural beauty of the area and development that significantly adversely affects the character or visual quality of the landscape or seascape will not be permitted. Such adverse impacts include artificial light pollution on intrinsically dark landscapes – a concern raised by the Parish Council.

The Dorset National Landscape Management Plan 2026-2031 sets out the special qualities of this designated area. This includes, that in addition to its outstanding scenic qualities, the AONB retains a sense of tranquillity and remoteness that is an integral part of the landscape. Reference is also made that the AONB retains dark night skies and an undeveloped rural character (paragraph 5.1). Policy C2a of the Plan requires:

Test proposals against their ability to conserve and enhance landscape and scenic beauty, giving significant weight to the area's special qualities in planning decisions.

Refuse proposals harmful to landscape character unless benefits clearly outweigh the protection afforded to the National Landscape; require mitigation, conditions, planning gain, or compensation where residual impacts remain.

Policy E12: Design of the Purbeck Local Plan 2024 requires all development to demonstrate a high quality of design that meets specified criterion. The District Design Guide SPD (paragraphs 166 – 173) requires that conversions of rural buildings retain the existing character, domestic details should be minimised, and new openings should be avoided or minimised and should not impact on the functional character of the building.

Worth Matravers Parish Council have objected to the proposal and consider that the current very high barn structure is not a reasonable comparison size and height to justify the proposal and would result in a visually dominant residential block out of keeping with the surrounding built form. Officers note that the proposal is for a barn conversion (as opposed to demolition and new build development) with partial demolition that will reduce the overall mass and size of the existing structure within the landscape.

It is a material consideration that the proposals are identical in appearance to the previous scheme for holiday lets granted consent by the Eastern Area Planning Committee on 27 February 2025.

The conversion will retain the original functional appearance of the barn and will remain in-keeping with the agricultural character of the area. The alterations and partial demolition will reduce the existing building mass. More natural and locally sourced materials are proposed for the external finish and will enable the building to sit more comfortably against the rural landscape. Officers consider that the proposed enhancements to the immediate curtilage – including landscape planting - would have a positive impact on the rural character of the area and provide enhancement in the National Landscape setting.

Parking provision is proposed to the east of the barn in an area currently finished with compacted stone. However, the new parking provision will be well landscaped with additional hedgerow and structure tree planting which will provide a betterment on the existing position. Conditions would be needed to secure details of materials and external finishes and hard and soft landscaping (Conditions 9 and 4). Overall, the conversion of the barn to residential dwellings and the associated alterations and partial demolition are considered to provide a betterment that would further the purposes of conserving and enhancing the natural beauty of the Dorset National Landscape.

The conversion requires the insertion of considerable new openings on all elevations of the barn to provide sufficient daylight to future occupiers. The Parish Council has raised an objection to extent of windows, lack of window placement restrictions, and overlooking and light pollution. The impact of the proposed openings and the associated artificial light intrusion into the dark landscape are key considerations. The village of Worth Matravers is not served by street lighting and its isolation and relative darkness form important characteristics of its landscape setting. The existing barn has no openings on the south and west elevations and limited openings on the north and east elevations. Whilst it is acknowledged that the lawful B8 storage use has no restriction on internal or external lighting, it is unlikely that related activity would extend into hours of darkness on a daily basis, and given the existing lack of openings, any internal use would result in limited artificial light intrusion into the surrounding area.

Nearby dwellings on the eastern fringe of the village already have some impact on the rural character of the area from the emission of artificial light after dark. However, this light intrusion is limited by the domestic scale of their glazing, with the recent Old Quarry Close development forming the current eastern extent of residential light intrusion. The proposed barn conversion would result in a further eastward expansion of artificial light intrusion into the National Landscape, with associated light spill into the intrinsically dark landscape and potential for increased daylight glare.

The north elevation proposes ground floor windows only. Light emission from these windows would remain well screened by the retained landscape bund on the site boundary, thereby restricting the extent of light spill / glow into the wider landscape views. However, the new openings and extensive areas of glazing on the remaining elevations – particularly as a result of extensive floor to ceiling glazing and balconies at first floor level – could allow for a new level of artificial illumination and light spill.

The current application seeks to address the level of harm that would be caused by way of mitigation in the form of general glazing design principles. Based on the glazing design principles in place in the South Downs National Park area, the application (Design and Access Statement) confirms that:

- The total area of glazing does not exceed 25% of the floor area of the building.
- No large continuous glazing sections exist such as cart shed openings.
- No single glazing unit is larger than 10 square metres.
- Three windows are positioned within recessed balconies on the principal elevations at first floor which will reduce light spillage.
- No ceiling or roof lights are proposed.
- The Visible Light Transmission (VLT) for every glazing specification will be 0.65 (65%) or less.

In addition, the proposal includes the installation of shutters providing the opportunity to mitigate impact if closed at night. Officers have previously considered that although the provision of shutters is welcome, a condition requiring the closure of the shutters at night (manual or automated) would not be enforceable over the lifetime of the buildings.

Whilst the above principles are supported, in order to ensure that they are effective, a condition on any grant of permission would be required to secure additional details of how the glazing VLT limit will be secured prior to the installation of any windows and that the VLT limit is secured in perpetuity (Condition 8). In addition, it is considered reasonable and necessary to include a condition requiring details of any external lighting to be submitted to the Council for approval prior to first installation to ensure that levels of harm are limited (Condition 10).

Given the existing lawful and unrestricted B8 use of the building – with no limit on traffic movement, hours of use, external storage etc. - it is considered that the proposal would provide some betterment on potential maximum traffic movements to and from the site and would not result in significant adverse impact either individually or cumulatively in respect of impact on the character of the area from traffic movements.

Subject to the VLT limit condition in respect of artificial light pollution mitigation, the proposed conversion to dwellings is considered to further the purposes of conserving and enhancing the natural beauty of the Dorset Natural Landscape and the associated sense of tranquillity and remoteness associated with the dark night landscape and skies.

In order to limit the potential for additional future development within the application site that could result in harm to the National Landscape setting, officers consider that it is reasonable to include conditions that restrict future householder permitted development in terms of extensions and alterations (Class A) and outbuildings (Class E), roof alterations that may increase light spill (Class C), and the insertion of new windows that may increase light spill (Conditions 14 – 17) . Enlargement of the dwellings by way of additions or alterations to the roof are already restricted within the National Landscape so will require planning permission.

In summary and subject to the above conditions, officers consider that the scale, design and impact on the character and appearance of the area - including the Dorset National Landscape – is acceptable and complies with Section 85 of the Countryside and Rights of Way Act (2000), paragraphs 187 and 189 of the NPPF, Policies E1: Landscape and E12: Design of the Purbeck Local Plan 2024, and the objectives of the Dorset AONB Management Plan 2019-2024 (paragraph 9.3.1 and policy C2(d) and (f)).

Impact on neighbour and occupier amenity

The Parish Council objection has raised concern that neighbouring amenity would be harmfully impacted by overlooking and loss of privacy from the windows within the barn conversion. Officers consider that the proposed dwellings would be sufficiently distanced and off set from the nearest neighbours at Old Quarry Close to ensure that there would be no adverse impact on neighbouring amenity in terms of loss of privacy, outlook, or overbearing development. The application was publicised by way of 4 site notices. No letters of objection were received from neighbours. Being identical in appearance to the previously approved and extant scheme for conversion to holiday lets, the development would not result in any greater impact on neighbour amenity than that scheme.

In terms of occupier amenity, the proposal has been assessed against Department of Communities and Local Government (DCLG) Nationally described space standards (March 2015) on the assumption that each of the four-bedroom properties would provide 8 bed spaces (maximum). The nationally described space standards for a 2-storey dwelling require a minimum gross internal floor area of 124 m² and this is exceeded for each proposed holiday let dwelling. A suitably sized and shaped external amenity area is also provided for each unit.

The proposal is considered to accord with Policy E12: Design of the Purbeck Local Plan 2024.

Highway safety, access, and parking

The application site has an existing access onto the lane to Worth Matravers and is supported by an Access Visibility Plan 6082/001A which has been subject of consultation with the Council's Highway Engineer. In their response, the Engineer notes that the existing use of the barn will be replaced with domestic vehicular movements for residents and visitors. There is onsite parking, and vehicles will be able to turn in a forward gear. The provided visibility splay drawing aligns to the carriageway geometry, and the access radii will encourage drivers to emerge with caution. There appear to be 'Slow' road markings and 3-2-1 strips on the adjacent carriageway at intervals to the village threshold. As such, the Engineer raises no objection to the proposal on grounds of highway safety and access, subject to conditions (Conditions 6 and 7) and informative notes on the decision.

The application proposes nine parking spaces. This level of provision accords with county wide parking guidance for three unfettered dwellings. Whilst very generous for the proposed use, the hard surfacing is similar to the existing. The Highway Engineer notes that the development is vehicle reliant but there is capacity on site for the applicant to build in a cycle store facility, Ebike charging, and EV charging as standard and to support sustainable travel.

In summary, the proposal is considered to comply with Policy I2: Improving accessibility and transport of the Purbeck Local Plan 2024.

Biodiversity Impacts

Biodiversity Enhancement

An updated Ecological Impact Assessment (EclA) that aligns with the proposed Biodiversity Net Gain Statement was submitted in December 2025. The EclA was approved by the Natural Environment team on 2 January 2026 and conditions on the decision will require the full implementation of the plan, details of external lighting to reflect the 10m dark corridor for bats, and a Habitat Management and Monitoring Plan (HMMP) as the proposed post development habitats include high distinctiveness habitats (lowland calcareous grassland) (Conditions 12, 18 & 19). On this basis the proposal is considered to accord with Policy E10: Biodiversity and geodiversity of the Purbeck Local Plan 2024.

Biodiversity Net Gain

The submitted Biodiversity Net Gain Statement and Metrics identify opportunities for onsite gain of +20.4% in habitat units and 241.25% in hedgerow units through the provision of hedgerow planting, grassland, trees and mixed scrub. The proposal to enhance / create Lowland Calcareous Grassland is significant, and the monitoring and management of the habitat for 30 years (a HMMP) must therefore be secured by the permission. There is a statutory requirement for a Biodiversity Gain Plan to be provided to the Council for approval prior to commencement, so it is only necessary to add informative notes to the decision. The proposal is considered to comply with national 10% BNG requirements.

Appropriate Assessment

In accordance with the ruling of ECJ C-323/17 People Over Wind, Sweetman v Coillte Teoranta, the Council is required to undertake an Appropriate Assessment (AA) in accordance with Regulation 63 as there is the potential for the development to affect Habitat Sites. The AA is to enable full consideration of the proposed development and any likely adverse effects on the integrity of European and internationally designated Dorset Heathland sites, which may remain if avoidance / mitigation measures are carried out as proposed. The site is located outside the Poole Harbour Catchment Areas for nutrient neutrality and recreational pressures. An AA has been undertaken in advance of the planning application being determined by the Council. This shows that suitable heathland mitigation measures can be secured through CIL and adherence to the Dorset Heathlands Planning Framework SPD to address likely adverse effects on the integrity of heathland sites. The proposal is therefore acceptable in this respect and Policies E7: Conservation of protected sites and E8: Dorset heathlands of the Purbeck Local Plan 2024.

An EIA Screening has been undertaken due to the siting of the proposed dwelling within the 'sensitive' Dorset National Landscape area. This has concluded that there are no likely significant effects resulting from the residential development.

Flood risk and drainage

The application site is located in Flood Zone 1 and outside areas of surface water and groundwater flood risk (as identified on the Environment Agency Flood Map for Planning and the Dorset Council SFRA mapping). The submitted Design and Access Statement and application form advise that some grey water recycling will occur for irrigation and surplus water will be discharged to a soakaway. Given the low levels of flood risk to the site and the pre-existing building it is considered that the proposal will not increase flood risk and accords with Policy E4: Assessing flood risk. However, it is considered reasonable to include a condition on the decision requiring the submission of a suitable surface water drainage scheme for approval prior to first occupation of any of the dwellings (Condition 5). This will ensure no increased flood risk to the site and surrounding area in accordance with Policy E5: Sustainable drainage systems of the Purbeck Local Plan 2024.

Site contamination

The application site and building have a historic use relating to agriculture and B8 storage, and land contamination is a potential issue.

The previous applications were subject of consultation with the Council's Environmental Protection Officer who advises that a contaminated land investigation and remediation condition should be included if permission is granted (Condition 3), in addition to an unexpected contamination condition (Condition 13) to ensure that any previously unidentified contamination can be adequately dealt with should it arise as works progress. Although not

consulted on the current application, the position remains unaltered, and the required conditions will be included on any decision.

'Tilted Balance' Assessment

As the tilted balance applies, NPPF paragraph 11 advises that permission should be granted if:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

For this application, the policies in the NPPF that protect areas or assets of particular importance (the Dorset National Landscape, Heritage Coast and habitats sites) do not provide a strong reason for refusing the development. The adverse impacts of granting the consent in the countryside but close to the settlement edge of Worth Matravers are also not considered to be so significantly and demonstrably harmful as to outweigh the benefits of the additional dwellings towards the 5-year housing land supply deficit and the principle of 'tilted balance' when assessed against the policies of the NPPF taken as a whole.

15. Environmental implications

The conversion will meet modern building regulations standards and will include high levels of insulation and modern glazing minimising energy consumption and carbon emissions. Local materials are to be used wherever possible.

16. Summary of issues and the planning balance

As the Council is unable to demonstrate a five-year housing land supply the tilted balance at paragraph 11 d) is engaged. The proposal would not result in harm to protected areas or assets of particular importance and conflict with the development plan arising from the site location would not significantly and demonstrably outweigh the benefits of the provision of three residential dwellings on previously developed land.

17. 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:

LP01 P3 Location Plan

BP01 P3 Block Plan

SL01 P7 Site Layout

FP01 P4 Proposed Floor Plans

E01 P4 Proposed Elevations

AC01 P1 Area Calculations 01

AC02 P1 Area Calculations 02
MM01 P3 Massing Models
6082/001 A Visibility Splay

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

3. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority: 1) a 'desk study' report documenting the site history. 2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment. 3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed. 4) a detailed phasing scheme for the development and remedial works (including a time scale). 5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the development written confirmation that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

4. Prior to the commencement of any development hereby approved, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
- (i) proposed finished levels or contours;
 - (ii) means of enclosure;
 - (iii) a soft landscaping scheme and planting plan;
 - (iv) hard surfacing materials and finishes.

The approved soft landscaping scheme and planting plan shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. If within a period of 5 years from the date of the planting of any tree/plant, that tree/plant or any tree/plant planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree/plant of the same species and size as that originally planted shall be replanted in the first available planting season unless the Local Planning Authority agrees in writing to any variation.

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

5. Prior to first occupation of the dwellings, details of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented. The works should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS).

Reason: To avoid drainage problems as a result of the development with consequent pollution or flood risk and to take into account current national standards for SuDS.

6. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number SL01 P7 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 in the interest of highway safety.

7. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number 6082/001A must be cleared/excavated to a level not exceeding 0.60 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. Prior to the installation of any glazing, details of the method(s) of securing the Visible Light Transmission at a maximum upper Visible Light Transition (VLT) of 0.65 and anti-glare properties shall be submitted to the Council for approval. Thereafter, all glazing - first installation and replacement - shall be fitted in accordance with the approved details and shall not exceed the maximum VLT limit of 0.65 at any time.

Reason: To restrict artificial internal light spill into the intrinsically dark Dorset National Landscape.

9. Prior to installation on the building, details (including colour photographs) of all external facing materials and finishes for the wall(s), and roof(s), windows and shutters shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed and be maintained in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development within the Dorset National Landscape.

10. No external lighting shall be installed unless and until details of the lighting scheme have been submitted to and agreed in writing by the Local Planning Authority. The submitted lighting scheme must reflect the 10m dark corridor for bats and suitable light levels as identified in paragraphs 7.30 - 7.32 of the approved Ecological Impact Assessment. Thereafter the lighting scheme shall be installed, operated and maintained in accordance with the agreed details.

Reason: To protect visual amenities within the Dorset National Landscape and harm to protected species.

11. The dwelling(s) hereby approved shall only be occupied by persons as their sole or principal residence and verifiable evidence to demonstrate proof of compliance shall be made available to the Local Planning Authority within 14 days of receipt of their reasonable request.

Reason: To ensure that the approved properties are not used as second homes in accordance with policy H14 of the Purbeck Local Plan in the interests of the sustainability of local communities and meeting local housing need.

12. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled 'Ecological Impact Assessment' by LC Ecological Services, dated October 2025 and updated December 2025, and certified by the Dorset Council Natural Environment Team on 02/01/2026.

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

- i) the recommendations detailed in section 7.0 'Mitigation' of the approved ecology report have been completed in full, in accordance with any specified timetable, unless otherwise agreed in writing with the Local Planning Authority, and
- ii) evidence of compliance 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 ecology report 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.

13. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) of the dwellinghouses hereby approved, permitted by Class A of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the National Landscape.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window(s) or other opening(s) permitted by Class A of Schedule 2 Part 1 of the 2015 Order shall be constructed in the elevations of the building(s) hereby approved.

Reason: To protect amenity and the character of the National Landscape.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no roof alteration(s) of the dwellinghouses hereby approved, permitted by Class C of Schedule 2 Part 1 of the 2015 Order, shall be constructed.

Reason: To protect amenity and the character of the area.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no garages, sheds or other outbuildings permitted by Class E of Schedule 2 Part 1 of the 2015 Order shall be erected or constructed.

Reason: To protect amenity and the character of the area.

18. 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.

19. 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. 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 the development of land in England is deemed to have been granted subject to the condition "(the 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. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

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

2. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or

more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

3. This application is subject to Biodiversity Net Gain. A Section 106 Agreement is likely to be required to secure the maintenance and monitoring of any Biodiversity Gain Plan or Habitat Management and Monitoring Plan (HMMP) approved by the Council.
4. A contravention of the Wildlife and Countryside Act 1981, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Protection of Badgers Act 1992 may constitute a criminal offence to particular plants and animals. The grant of this consent does not override any requirements to notify Natural England or to comply with the legislation. All buildings and especially roof spaces can support bat roosts which may be damaged or disturbed by demolition, building works or timber treatment. Please note that all bats and their roosts are fully protected under law. It is a requirement of the legislation to notify Natural England of any operation which may affect bats or their roosts, even when the bats are apparently absent. The grant of this planning permission does not override any relevant statutory species protection provision contained within such legislation. For further advice on a particular species please contact Natural England or the Dorset Council Natural Environment Team: Tel: 01305 224931; Email: net@dorsetcouncil.gov.uk
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. The applicant is advised that, notwithstanding this consent, before commencement of any works Dorset Council Waste Services should be consulted to confirm and agree that the proposed recycling and waste collection facilities accord with the "guidance notes for residential developments" document (<https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/documents/guidance-for-developers-a4-booklet-may-2020.pdf>). Dorset Council Waste Services can be contacted by telephone at 01305 225474 or by email at bincharges@dorsetcouncil.gov.uk.

7. Electric vehicle charging points

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. Street Naming and Numbering

The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information. <https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering>

9. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.
10. You are advised that the submission of a suitable 'desk study' report may be sufficient to satisfy the local authority in relation to the requirements of condition 15. Any work carried out to comply with conditions relating to land contamination must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
11. Informative Note: Rights of Way

The safe free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on a right of way, then a Temporary Path Closure Order must be obtained. This can be applied for through Rights of Way at Dorset Council see <https://www.dorsetcouncil.gov.uk/w/changing-the-definitive-map>, but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application. This application and legal order must be confirmed before any works obstructing the path are commenced.

Any damage to the surface of the footpath attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980 by the applicant.

12. Informative note: (Second homes condition explanation)

For the purposes of condition number 11 (Second Homes condition) the Council defines a principal residence as a property that is the occupier's only or main residence, where the residents spend the majority of their time when not working away from home. This includes tenants renting a property from a landlord.

Evidence of compliance with this condition could include, but is not limited to, occupiers being registered on the local electoral register and being registered with a local general practitioner.

13. 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.