

Application Number:	P/FUL/2026/02091
Webpage:	Planning application: P/FUL/2026/02091 - dorsetforyou.com
Site address:	The Old Malthouse High Street Langton Matravers Swanage BH19 3HB
Proposal:	Retain Unit 14 for use as dwellinghouse and/or commercial holiday let for short term lets
Applicant name:	Old Malthouse (Purbeck) Limited
Case Officer:	Emma Macdonald
Ward Member(s):	Cllr Wilson

1. Reason application is going to committee:

The application has been referred to Committee by the Chairman of the Eastern Planning Committee

2. Summary of recommendation:

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

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable – subject to a condition restricting the unit’s use to either a sole or principal residence or a short-term holiday let and not occupied as a second home. This will ensure that the proposal fully complies with Condition H14 and continues to contribute either to housing supply or the visitor economy.
Scale, design and impact on the character and appearance of the area and the Dorset National Landscape	Acceptable – the proposal would not result in any changes to the internal layout, or the external appearance of the permitted dwelling therefore complies with Policies E1 ‘Landscape’ and E12 ‘Design’ of the Local Plan.
Impact on heritage assets	Acceptable - the proposal would not result in harm to the character and appearance of the Conservation Area and complies with Policy E2 ‘Historic environment’ of the Local Plan.
Amenity Impacts	Acceptable - The proposed use of the two-bed property as a dwelling or short-term holiday let would not result in any demonstrable harm to neighbouring amenity.

Issue	Conclusion
Highways and parking	Acceptable - the proposal would not result in a material increase in vehicle movements or parking pressure, nor would it give rise to any adverse impact on highway safety or the surrounding highway network.
Biodiversity	Acceptable – there is no net gain in the level of overnight accommodation.

4. Description of site

The application site forms part of a wider development of dwellings known as the Old Malthouse that lies to the east of Old Malthouse Lane in the village of Langton Matravers. Unit 14, the subject of this application, lies within the centre of the recently constructed cluster of houses. It is surrounded by dwellings and allocated parking to the south.

The site is located within the Langton Matravers settlement boundary and the Langton Matravers Conservation Area. In addition, the site is within the Dorset National Landscape, a designation which sweeps over the village. The site is also covered by a Tree Preservation Order.

The topography of the site slopes away from Old Malthouse Lane to the east and north, with Unit 14 being at a lower level than the road.

Outside of the Old Malthouse development, the character is largely residential, including historic (although unlisted) buildings and more recent redevelopment along Old Malthouse Lane. To the east, the site adjoins Langton Matravers Primary School and its playground

5. Description of development

Planning permission is sought to retain Unit 14 as a dwelling house or as a commercial holiday let/short term let. The proposals do not involve any operational development or physical change to the permitted building.

The planning statement that accompanied this application explains that the approved property is a dwelling house and can lawfully be occupied in that manner. The development at the Old Malthouse is in the process of being constructed. Officers understand that Unit 14, the subject of this application, has been constructed and finished internally with connection to utilities and gardens left to be completed. Other units on the site appear to be in differing stages of completion.

The statement to accompany this application explains that the housing market is slow and the properties are not selling due to economic issues outside of the applicant's control. Therefore, the applicant wishes to offer this property for sale on the basis that it can either be purchased as an owner-occupied property, be either retained by the applicant or sold as a rental property occupied as a person's main residence or be retained/sold as a holiday let for short term lets.

It is understood that the applicant can already sell or rent the property under the existing permission, subject to compliance with Condition 20 which requires the dwelling to be occupied by persons as their sole or principal residence. The current proposal would allow for short term commercial lets. The existing condition would not allow for short term holiday letting as the property would then not be the occupiers sole or principal residence.

The applicant wishes to obtain a new permission for the dwelling which would allow more flexible use of the property, to include commercial holiday lets. It is proposed that the property may be let or occupied fully as a main residence or occupied as such for part of the year with holiday lets for the remaining part of the year or be fully let as a holiday property.

6. Background and relevant planning history

The site itself has quite a complex history. The applications of most relevance are summarised as follows;

Application Number	Decision	Comments
PAP/2018/0110	16/01/2019	Proposed residential conversion and redevelopment
PAP/2019/0048	28/06/2019	Proposed residential conversion and redevelopment
6/2019/0604	Approved 01/10/2020 (Committee Decision)	Redevelopment of site including demolition of several school buildings, conversion & construction of new buildings to provide 19 dwellings with vehicular access, off street parking, gardens & landscaping
P/VOC/2023/00413	Approved 22/06/2023 (Delegate Decision)	Variation of Condition 2 of approved P/A 6/2019/0604 (Redevelopment of site including demolition of several school buildings, conversion & construction of new buildings to provide 19 dwellings with vehicular access, off street parking, gardens & landscaping) to make minor changes to approved plans in order to facilitate better and more efficient internal configuration, building regulation requirements and other functional reasons
P/VOC/2023/04930	Approved 21/12/2023 (Delegate Decision)	Variation of Conditions 1, 11, 14, 15, 16 and 17 of approved P/VOC/2023/00413 (Variation of Condition 2 of application)
P/VOC/2024/04675	Approved 29/11/2024	Variation of condition to approved application P/VOC/2023/04930 (To make minor changes to approved plans of application 6/2019/0604 in order to facilitate more efficient internal configuration, building regulation requirements and other functional reasons, including changes to the elevations of some of the dwelling houses and to provide

		detached rather than semi-detached dwelling and provide a more traditional and vernacular appearance relative to the area and development as a whole.) Variation of condition 1 of approved application - to make minor material amendments to the approved elevation and floor plans. Permission was the subject of a series of conditions. Condition 20 is particularly relevant to this application. 20. The dwellings 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 2024 in the interests of the sustainability of local communities and meeting local housing need.
P/VOC/2024/0752 3	Refused 20/03/2025 Appeal dismissed 23/09/2025	Application to remove Condition 20 to approved application P/VOC/2023/04930 (To make minor changes to approved plans of application 6/2019/0604 in order to facilitate more efficient internal configuration, building regulation requirements and other functional reasons, including changes to the elevations of some of the dwelling houses and to provide detached rather than semi-detached dwelling and provide a more traditional and vernacular appearance relative to the area and development as a whole.) Variation of condition 1 of approved application - to make minor material amendments to the approved elevation and floor plans Refused for the following reason; 1. The inclusion of Condition 20 on the decision of P/VOC/2024/04675 is judged to be reasonable and necessary to enable compliance with Policy H14: Second homes of the Purbeck Local Plan 2024 and having regard to paragraph 15 and Annexe A of Planning Practice Guidance 'Flexible options for planning permissions.' The removal of Condition 20 would enable occupation of the approved dwellings in the Dorset National Landscape as second homes to the detriment of the primary home supply and sustainability of the village of Langton Matravers, contrary to Policy H14: Second homes of the Purbeck Local Plan 2024.

7. List of constraints

Langton Matravers Conservation Area

Langton Matravers Settlement Area

Within the Dorset National Landscape (Former Area of Outstanding Natural Beauty)
TPO (PDC/TPO 332)

Mineral Strategy 2014 – Mineral Safeguarding Policy SG1 - Purbeck_Limestone with
Worbarrow Tout - Member: STAIR HOLE MEMBER;

Wessex Water Treatment Works Catchment Other WRC catchments

Right of Way: Footpath SE16/44; - Distance: 2.3m

Groundwater – Susceptibility to flooding

Dorset Heathlands - 5km Heathland Buffer

Ancient Woodland - Distance: 491.57m

Natural England - RAMSAR - Distance: 3166.38m

Special Area of Conservation (SAC) (5km buffer): St Albans Head to Durlston Head
(UK0019863); - Distance: 1418.34m

Special Area of Conservation (SAC) (5km buffer): Studland to Portland (UK0030382); -
Distance: 1946.36m, Isle of Portland to Studland Cliffs (UK0019861); - Distance: 2887.38,
Dorset Heaths (Purbeck & Wareham) & Studland Dunes (UK0030038); - Distance:
3166.38m, Dorset Heaths (UK0019857); - Distance: 3354.55m

Site of Special Scientific Interest (SSSI) impact risk zone

Radon: Class: 2.0 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

8. Consultations

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

Consultees

1. Dorset National Landscape Team (comments received 06/05/26)

The Management Plan for Dorset National Landscape contains a policy that opposes a growth in second homes within the National Landscape. This can be found within our current Plan (<https://dorset-nl.org.uk/wp-content/uploads/2025/12/Dorset-National-Landscape-Management-Plan-2026-2031-FINAL.pdf>) as Policy C4c: "Discourage growth in second homes within the National Landscape"

We were also supportive of the inclusion of the principal residence restriction within the Purbeck Local Plan, this being 'Policy H14: Second homes'.

As the application does not itself propose physical changes to an approved dwelling, we do not have concerns about the landscape and visual impacts of this specific change of use. However, we encourage careful consideration of the conformity of the proposal with planning policy, given the contents of our Management Plan and the Local Plan.

2. Dorset Council (DC)- Highways (comments received 12/05/26)

The Highway Authority considers that the proposal with no changes to parking, does not present a material harm to the transport network or to highway safety and consequently has no objection.

3. DC - Dorset Waste Team

No objection

4. DC - Conservation Officers (comments received 28/04/26)

The proposed scheme has been assessed, in relation to perceived impacts on encompassing heritage assets, considered of special architectural/ historical significance, and their associated settings. On heritage grounds, we conclude that no harm is realised, and no objection is raised.

5. DC - Trees (East & Purbeck)

No trees affected by the proposed change of use and there is no objection on tree grounds.

6. Langton Matravers Parish Council (comments received 14/05/26)

Objection, for the following reasons;

- Loss of residential housing stock
- Conflict with settlement strategy
- Misapplication of Policy EE4 (Tourism)
- Material change of use and lack of control
- Impact on community sustainability
- Traffic generation and parking
- Precedent for similar proposals

7. South East Purbeck Ward (comments received 04/05/26)

Cllr Ben Wilson, object for the following reason;

To do anything other than reject this application outright would be to undermine the intention behind the Purbeck Local Plan Policy H14 that all Purbeck developments within the Dorset Local Landscape be sold as primary residences. We should not be building any medium-large scale developments within Purbeck for any purpose other than providing permanent residences. There is no requirement to build further holiday lets - demand is already met with existing properties and the repurposing of existing buildings. To accept this would represent a slippery slope and would be a decision against the interests of the local Langton Matravers and wider Purbeck community.

Representations received

No comments have been 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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Section 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

E2: Historic environment

E3: Renewable energy

E4: Assessing flood risk

E5: Sustainable drainage systems (SuDs)

E7: Conservation of protected sites

E8: Dorset heathlands

E9: Poole Harbour

E10: Biodiversity and geodiversity

E12: Design

EE4: Supporting vibrant and attractive tourism

H2: The housing land supply

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

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

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 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. 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.
- Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

National Planning Practice Guidance

Other documents

The Town and Country Planning (Use Classes) Order 1987 (as amended)

Langton Matravers Conservation Area Appraisal

Dorset AONB Landscape Character Assessment

The Dorset National Landscape Management Plan 2026-31

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Dorset Heathlands Interim Air Quality Strategy 2020-2025

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.

District Design Guide SPD

Managing and using traditional building details in Purbeck

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.

Officers are not aware of any specific considerations that were made to ensure people with disabilities or mobility impairments or pushing buggies were specifically accommodated when this proposal was originally permitted, or through the various variations. This proposal does not involve any operational development or physical change to the permitted building.

However, no specific harm to persons with protective characteristics has been identified.

13. Public Benefits

Economic benefits – visitors spending in the local economy

Limited employment – cleaning, management and maintenance services

14. Planning Assessment

- 14.1 By way of background, the application site originally consisted of buildings and land that formed the main complex of The Old Malthouse School, Langton Matravers, which closed in 2007.
- 14.2 Planning permission (ref 6/2019/0604) was granted for the redevelopment of the site including the demolition of several school buildings, conversion & construction of new buildings to provide 19 dwellings with vehicular access, off street parking, gardens & landscaping.
- 14.3 Since planning permission was granted a series of applications have been made to vary the conditions of the original permission.
- 14.4 P/VOC/2023/00413 was granted in June 2023 (delegated) to make minor, detailed changes to approved plans in order to facilitate better and more efficient internal configuration, building regulation requirements and other functional reasons. It was concluded that the amendments accorded with local and national planning policy.

14.5 P/VOC/2023/04930 was granted in December 2023 (delegated) for the variation of Conditions 1, 11, 14, 15, 16 and 17 of approved P/VOC/2023/00413. The application proposed minor changes to approved plans in order to facilitate more efficient internal configuration, building regulation requirements and other functional reasons, including changes to the elevations of some of the dwelling houses and to provide detached rather than semi-detached dwelling and provide a more traditional and vernacular appearance relative to the area and indeed relative to the development as a whole. Officers considered that the changes to elevational treatments retained an appropriate quality of design and no harm would arise which would outweigh the benefits in relation to paragraphs 11 of the NPPF in the light of the lack of 5 year housing land supply in the Purbeck Area.

14.6 P/VOC/2024/04675 was granted in November 2024 for the variation of condition 1 to approved application P/VOC/2023/04930 to make minor material amendments to the approved elevation and floor plans. Reference in the officer's report was made to Policy H14 'Second Homes' of the newly adopted Purbeck Local Plan that supports new housing within the Dorset National Landscape only where there is a restriction in perpetuity to ensure that such homes are occupied only as a principal residence. The policy also applied to changes of use to residential. A condition was added to the decision to secure this restriction on the application site.

Condition 20. The dwellings 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 2024 in the interests of the sustainability of local communities and meeting local housing need.

14.7 An Informative Note was added to the decision notice to provide further explanation;

6. Informative note: (Second homes condition explanation)

For the purposes of condition number 20 (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.

14.8 P/VOC/2024/07523 was refused in March 2025. This application sought to remove Condition 20 to approved application P/VOC/2023/04930. The applicant applied for

removal of this condition arguing in their supporting statement that the additional condition is unreasonable when previous permissions could be carried out without the restriction.

- 14.9 The Officers report set out that Section 73 (2) (a) of the Town and County Planning Act 1990 permits local planning authorities to grant a new planning permission with conditions differing from those of the previously granted permission.
- 14.10 Application P/VOC/2024/04675 was assessed in accordance with national planning guidance and the adopted local plan at the time of determination. As such, it was necessary for officers to consider the implications of any new policies that applied. In this case, following the adoption of the Purbeck Local Plan 2024 on 18th July 2024, Policy H14 'Second Homes' applied to the S73 application. The relevant condition and informative note were included on the decision of P/VOC/2024/04675 to ensure that the application accorded with the new adopted Local Plan requirement. An appeal against the refusal was dismissed.
- 14.11 Officers considered that the retention of Condition 20 was both reasonable and necessary to ensure compliance with Policy H14 'Second Homes' of the adopted Local Plan. However, no consideration was given to the option of using the dwellings as holiday accommodation through this application.

Principle of development

- 14.12 The site benefits from permission for a two-bedroom dwellinghouse within Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Use Class C3 is defined as:

'Use as a dwellinghouse (whether or not as a sole or main residence) by—

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents; or

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).'

Whether the use of a dwellinghouse as a commercial holiday let falls within Use Class C3 or is a sui generis use (outside any of the Use Classes) depends upon the nature of that use. In certain circumstances the use of a dwelling as holiday lets can result in a significantly different character of occupation (for example, large-scale or intensive visitor use). In this case, as the property only has two bedrooms, it is likely that occupants will arrive as a household so whilst the nature of trips undertaken by holiday occupants may differ, officers do not consider that any change in character would arise between occupation as a primary residence and holiday accommodation.

- 14.13 However, Condition 20 of permission P/VOC/2024/04675 restricts occupation of the dwellings on this site to persons as their sole or principal residence. To a large extent this reflects Policy H14 of the Purbeck Local Plan, which seeks to prevent use of new housing as second homes in order to support the sustainability of local communities and meet local housing need.
- 14.14 Purbeck Local plan Policy H14 'Second Homes' (in full below) does not however apply to 'new homes which are commercially let for holiday makers'. The supporting text in the Local Plan explains that *'The Council does not consider holiday lets which are run as a business to be classed as a second home. Applications can be made specifically for new build holiday lets and where approved these homes would be restricted for holiday use through a planning condition and/or under terms of a planning obligation'*.

Policy H14: Second homes

New housing in 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. This policy will also be applied to changes of use to residential. This policy will not apply to:

- a. new homes which are commercially let for holiday makers; or
- b. a single home that is proposed as a replacement for an existing home which is not subject to the principal residence restriction.

This policy also applies to new homes permitted on small sites as set out in Policy H8 and on rural exception sites as set out in Policy H12. The restriction will be imposed through a planning condition attached to the planning permission or by a planning obligation. The condition or obligation will require that any new housing to which this policy applies is occupied as a principal residence. Where an applicant is seeking permission for a commercial holiday let, the Council will restrict the use through a planning condition attached to the planning permission or by a planning obligation.

Occupiers of such homes will be required to keep evidence that they are meeting the condition or obligation, and produce that evidence should the Council request proof of compliance. Proof of principal residence will be by verifiable evidence which could include, but is not limited to, occupiers being registered on the local electoral register and being registered with a local general practitioner. Proof of occupation as a holiday let will be by verifiable evidence which could include, but is not limited to, audited accounts, booking records, marketing activity, Council tax records and payment of business rates.

- 14.15 The current application is seeking planning permission for a flexible use of the dwelling as either a principal residence or short-term holiday let which can be controlled by condition, so it does not conflict with policy H14.
- 14.15 The Lytchett Matravers Neighbourhood Plan does not include policies restricting the use of dwellings for holiday letting. The site lies within the settlement boundary, where residential and compatible uses are supported in principle under Policy V1 of the Purbeck Local Plan.
- 14.16 Objections have been raised by the Ward Member and Parish Council, including concerns that the proposal would undermine the intention of Policy H14 and result in the loss of a permanent dwelling. These concerns are noted but the intention of the second homes policy is to avoid homes remaining unoccupied for long periods of the year which harms the viability of local services and facilities and the sustainability of communities for the residents who live there. As aforementioned, the policy is not applicable to 'a) new

homes which are commercially let for holiday makers' where higher occupation rates would reasonably be anticipated.

- 14.17 Policy C4c 'Limit forms of development within the greatest potential for harm' of the Dorset National Landscape Management Plan (2026-2031) seeks to discourage growth in second homes within the National Landscape. However, the plan also acknowledges the importance of tourism in supporting jobs and the local economy through spend.
- 14.18 The proposal would allow the property to be used as short-term holiday accommodation, which could result in the loss of one permanent dwelling. Given the current shortfall in the five-year housing land supply, this carries some weight. However, the scale of loss is very limited and, on balance, is not considered sufficient to justify refusal, particularly as the proposal would ensure that the dwelling could still be occupied as a principal residence should the market demand this type of accommodation.
- 14.19 Policy EE4 'Supporting vibrant and attractive tourism' supports tourism-related development where it is of an appropriate scale and delivers economic benefits, subject to environmental and amenity considerations. The proposal falls within the broad category of visitor accommodation and would contribute to the local economy through tourism.
- 14.20 Policy EE4 requires holiday accommodation to meet a number of other criteria which are summarised below;
- a) Acceptable impact on European protected nature conservation sites – *acceptable no net increase in overnight stays, see below.*
 - b) No harmful impacts upon local services and the capacity of roads and other infrastructure – *acceptable given the scale of the proposed development as detailed below.*
 - c) Scale of buildings and nature of development that would harm the character and value of any landscape and avoids adverse impacts on the amenity of neighbouring uses – *no change to the physical appearance, acceptable see details below*
 - d) Demonstrates benefits for the economy of Purbeck – *acceptable, through tourism.*
 - e) If located within the Dorset National Landscape would meet the requirements of national policy in addition to above – *acceptable, see sections below.*
- 14.21 The Parish Council has raised concerns over the impact of the proposal on community sustainability. As the proposal would remove the restriction on 1 out of 19 dwellings on the Old Malthouse Site, the scale of the proposal is limited, amounting to a very small proportion of the overall development, and would not undermine the primary function of the estate as a residential community. While it is acknowledged that concentrations of short-term lets can, in some circumstances, erode community cohesion and reduce the supply of permanent housing, it is judged that the provision of one holiday unit in this instance would not result in such impacts. Furthermore, the proposal has the potential to support the local economy through visitor expenditure, contributing to the vitality and viability of nearby services and facilities. On balance, it is therefore considered that using

the dwelling as a holiday let would not detract from the overall sustainability or social cohesion of the area, and remains consistent with the objectives of sustainable development

14.22 A condition restricting the unit's use to either a sole or principal residence or a short-term commercial holiday let is recommended. It is further recommended that the condition states that Unit 14 shall not be occupied as a second home. This will ensure that the proposal fully complies with Local Plan Policy H14 and continues to contribute either to housing supply or the visitor economy.

14.23 On this basis, the proposal is not considered to conflict with the development plan and is acceptable in principle.

Scale, design and impact on the character and appearance of the area and the Dorset National Landscape

14.24 The proposal does not seek any changes to the external appearance of the approved residential dwelling, nor is any material change to the character of the use anticipated as the dwelling only has two bedrooms so would be suitable for family groups. The impact on the character or appearance of the area would remain acceptable.

14.25 The Dorset National Landscape Team has highlighted the importance of resisting the growth of second homes within the Purbeck area, but as the application does not itself propose physical changes to an approved dwelling no concerns about the landscape and visual impacts of the change of use application have been raised by the National Landscape Team.

14.26 The proposal is considered to comply with Policies E1 'Landscape' and E12 'Design' of the Purbeck Local Plan 2024.

Impact on heritage assets

14.27 The application site is located within the Langton Matravers Conservation Area.

14.28 The Council's Conservation Officer has been consulted on the proposal but as no changes are proposed to the external design of the dwelling no harm to heritage assets has been identified and no objection is raised.

14.28 The proposal complies with Policy E2 'Historic environment' of the Purbeck Local Plan 2024.

Amenity Impacts

14.29 The proposed use of the property as a holiday let would remain within Use Class C3 (residential) and is not considered to result in any demonstrable harm to neighbouring amenity above the existing residential use. While activity levels by the occupants may be greater (depending on individual occupants) this could also apply to different permanent households.

Highway impacts and parking

- 14.30 The concerns raised by the Parish Council regarding potential increases in vehicle movements, parking demand and impacts on highway safety have been carefully considered.
- 14.31 Given the scale of the dwelling (2 bedroom) and its lawful use as a single residential unit, officers do not consider that the proposed flexible use for short-term holiday accommodation would materially increase the intensity of use in terms of vehicle movements or parking demand. A dwelling in full-time residential occupation can reasonably generate a comparable level of vehicle trips to a unit occupied as a holiday let, albeit with different patterns of arrival and departure.
- 14.32 The proposal does not involve any physical alterations to the site or changes to the existing parking provision, and there is no evidence to suggest that the level of parking available would be insufficient to meet the likely demand arising from the proposed use.
- 14.33 The Highway Authority has confirmed that it raises no objection to the proposed change of use, noting that there are no changes to parking provision and that the proposal would not result in a material harm to the transport network or to highway safety.
- 14.34 On this basis, officers are satisfied that the proposal would not result in a material increase in vehicle movements or parking pressure, nor would it give rise to any adverse impact on highway safety or the surrounding highway network and is therefore acceptable in this regard.

Biodiversity

- 14.35 *Impact on protective nature conservation sites* - There is no net gain in the level of overnight residential accommodation, and the proposed change of use is acceptable in accordance with policies E7 'Conservation of protected sites' and E8 'Dorset Heathlands' of the Purbeck Local Plan.
- 14.36 *Biodiversity net gain* – given the nature of this change of use application it is subject to the 'de minimis' exemption.

Other matters

- 14.37 The Parish Council has also raised concerns that approval of the current application could set a precedent leading to a wider loss of permanent housing within the parish.
- 14.38 Each planning application must be determined on its own merits, having regard to the specific circumstances of the case and the development plan as a whole. The current proposal relates to a single dwelling and has been assessed against relevant policies. As set out above, Policy H14 does not preclude the use of dwellings as commercial holiday accommodation, and Policy EE4 provides support in principle for tourism-related uses where appropriate. The proposal is further proposed to be controlled by a planning condition restricting the use of the property to either a sole or principal residence or as a

short-term commercial holiday let, thereby preventing its use as a second home in accordance with Policy H14.

- 14.39 Given the site-specific nature of this assessment and the limited scale of the proposal, it is not considered that granting permission in this instance would create an undesirable precedent or lead to a cumulative erosion of the permanent housing stock. Future proposals would be subject to their own assessment against the development plan and material considerations at that time.

15. Environmental implications

- 15.1 Given that the dwelling is already built there will be limited environmental implications.

Summary of issues and the planning balance

The proposal seeks a new planning permission for the dwelling to allow it to be used flexibly as either a principal residence or short-term commercial holiday let. While it is acknowledged that this could result in the loss of one unit of permanent housing, which carries some weight given the current housing land supply position, the scale of this impact is extremely limited and would not undermine the overall housing function or community cohesion of the area. The proposal does not conflict with Policy H14, as the restriction preventing the use of new dwellings in the National Landscape as second homes does not apply to commercially let holiday accommodation, and is supported in principle by Policy EE4, which allows for appropriate tourism development within settlement boundaries (as in this case) where impacts are acceptable.

The scheme would provide modest economic benefits through support for the local visitor economy. There are no changes to the building, and the proposal would preserve the character and appearance of the area and Conservation Area, with no harm identified to landscape or heritage assets. Furthermore, no adverse impacts have been identified in respect of neighbouring amenity, highway safety, or parking. On balance, the limited harm to housing supply is outweighed by the policy compliance and modest economic benefits, and the proposal is therefore considered acceptable subject to conditions restricting occupancy to either a principal residence or short-term holiday use.

As the proposal is for an alternative planning permission to that previously approved and the dwelling is yet to be occupied, planning conditions on permission P/VOC/2023/04930 relating to construction, surface water management, landscaping, the bin store provision remain relevant and necessary to ensure that the house is completed as part of the estate. The conditions relate to land within the control of the applicant, so the conditions remain reasonable. The requirements for obscure glazing of the bathroom windows and control over permitted development rights previously imposed by P/VOC/2023/04930 also remain applicable.

16. Recommendation

Grant subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

002 Proposed Location & Block Plans

237-014 Proposed Ground Floor Plan

237-015 Proposed First Floor Plan

237-017 Proposed Elevations

237-016 Proposed Roof Plan

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

2. Unit 14 shall only be occupied by persons as their sole or principal residence or as a short term commercial holiday let and shall not be occupied as a second home. 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 property is not used as a second home in accordance with policy H14 of the Purbeck Local Plan 2024 in the interests of the sustainability of local communities and meeting local housing need.

3. The development must be carried out in accordance with the Construction Environmental Management Plan (CEMP) by Whitelock & Company Ltd submitted on 30th June 2021 and confirmed as acceptable in accordance with the terms of Condition 4 of planning permission 6/2019/0604 on 8th October 2021.

Reason: To minimise the likely impact of the proposed development on the amenity of neighbouring properties.

4. The development must be carried out in accordance with the Construction Traffic Management Plan (CTMP) by Whitelock & Company Ltd as submitted on 30th June 2021 and confirmed as acceptable in accordance with the terms of Condition 5 of planning permission 6/2019/0604 on 29th September 2021.

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

5. The development must be carried out in accordance with the following surface water drainage scheme details confirmed as acceptable in accordance with the terms of Conditions 3 and 4 of planning permission 6/2019/0604 on 1st July 2021:
 - Surface Water Strategy and Maintenance Plan Ref: 19275 dated February 2021 (submitted 24th February 2021) as updated and resubmitted on 30th June 2021 to reference final plans and 'final design' in the footer.
 - Plan 17230-930/P2 – Surface Water Drainage Construction Details Final Design - submitted on 30th June 2021.

- Plan 17230-900/P4 – Surface Water Drainage Layout Final Design – submitted on 30th June 2021.
- Ground Investigation Factual and Interpretative Report Ref: Z0605 Issue 1.1 by AIS Ltd dated 04 November 2020 – submitted on 16th March 2021.

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

6. All works impacting on the retained trees during the demolition and development and all proposed tree planting must be carried out as specified in the approved Arboricultural Method Statement, reference 19172-AA-PB and the Tree Protection Plan, reference 19172-BT2, both dated 17/10/19.

Reason: To prevent trees on site being damaged during construction works.

7. The soft landscaping works for the plot detailed in approved Proposed Soft Landscape 18-1004-SLO1.sl P8 and agreed in accordance with condition 13 must be carried out prior to or during the first planting season (October to March) following the occupation of the dwelling. The planting scheme must be maintained in accordance with the agreed details.

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

8. Any trees or plants of the approved landscape scheme which within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, must be replaced in the next planting season with others of similar size and species, unless the Council gives written permission to any variation.

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

9. The development must be carried out and maintained in accordance with the approved Biodiversity Mitigation and Enhancement Plan dated 9th September 2020 and agreed by Dorset Council on 17th September 2020 unless subsequent variation is agreed in writing with the Council.

Reason: To ensure the adequate protection of a species and its habitat protected by law that exists on the site.

10. The hard surfacing/paving, walls, fences and other external structures, detailed in the approved Proposed Hardscape Plan 18-1004-SLO1.h P8 that relevant to the application site must be carried out before the first occupation of the dwelling.

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

11. Before the dwelling is first occupied the access, geometric highway layout, parking and turning areas as shown on Proposed Site Location and Block Plan Drawing Number 002 must be constructed. Thereafter, the access and turning areas must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

12. Before the development is occupied or utilised the Bin Store shown on Bin Store & Car Port Floor Plan 18-10040CB.p P6 and Elevations 18-1004-CB.e P5 & 18-1004-BF.e1 P7 must be constructed and full bin capacity provided, unless otherwise agreed in writing by the Planning Authority. Thereafter, the Bin Store must be maintained, kept free from obstruction and made available for the purpose specified.

Reason: To ensure the proper and appropriate development of the site.

13. Before the new dwelling is brought into use, the bathroom and en-suite windows must be glazed with obscure glass to a minimum Industry Standard privacy level 3. Thereafter, the windows must be maintained in that condition.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Classes A, B, C and E except for wooden sheds and greenhouses, and Schedule 2, Part 2, (or any order revoking and re-enacting that Order with or without modification), no further development, including material changes to the shape and appearance of windows, the carrying out of building, engineering or other operations will be undertaken within the application site without first obtaining planning permission from the Council.

Reason: In the interest of neighbour amenity and to retain the visual amenity and townscape character of the area including the Langton Matravers Conservation Area.

Informative Notes:

1. For the purposes of condition number 3, the Council defines a principal residence as a dwelling which is the occupier's sole or main residence, where they spend the majority of their time when not working away from home. This definition includes tenants renting a property as their only or main home.

A short-term commercial holiday let is defined as the use of the unit for temporary, commercial visitor accommodation, whereby occupation is transitory in nature and does not constitute a person's sole or main residence.

The unit shall not be occupied as a second home.

Evidence of compliance with this condition may be requested by the Local Planning Authority and, in the case of principal residence occupation, could include (but is not limited to) registration on the local electoral roll, registration with a local general practitioner, and utility usage patterns consistent with permanent occupation.

Proof of use as a holiday let shall be by verifiable evidence and may include (but is not limited to) booking records, letting agreements, marketing activity, audited accounts, council tax records, payment of business rates, and other documentation demonstrating the property is operated and occupied as short-term visitor