

## Householder Application Report

<b>Reference No:</b> P/HOU/2024/00739
<b>Proposal:</b> Retention of first floor dormer extension; demolition of existing outbuilding.
<b>Address:</b> Anchor Paddock Batchelors Lane Holt BH21 7DS.
<b>Recommendation:</b> Refuse
<b>Case Officer:</b> Claire Hicks.
<b>Ward Members:</b> Cllr Cook (consulted) replaced by Cllr Will Chakawhata.

<b>Fee Paid:</b>	£258.00		
<b>Publicity expiry date:</b>	6 March 2024	<b>Agent/Applicant sent site photos to Officer on:</b>	2 May 2024 and 25 June 2024
<b>Decision due date:</b>	8 April 2024	<b>Ext(s) of time:</b>	9 October 2024
<b>No. of Site Notices:</b>	1		
<b>SN displayed reasoning:</b>	A site notice was displayed at the access to the site.		
<b>Where Scheme of Delegation consultation required under constitution:</b>			
<b>SoD Constitutional trigger:</b>	N/A but Chair confirmed it can be delegated.		
<b>Nominated officer agreement to delegated decision</b>	<b>Date agreed:</b>	N/A	

### Relevant Planning Constraints

- Horton Conservation Area - 69.95m.
- Local Plan Policy - Location: Woodlands, Policy: HE3 - 0m.
- Local Plan Policy - Dorset Heathlands - 5km Heathland Buffer - 0m.
- Public Right of Way: Footpath E45/55 - 3.72m.
- Bournemouth Water Consultation Area – 0m.
- Environment Agency - Risk of Surface Water Flooding Extent 1 in 1000 - 0m.
- Environment Agency - Groundwater – Susceptibility to flooding; - 0m.
- Site of Special Scientific Interest (SSSI) impact risk zone.
- Dorset Heathlands - 5km Heathland Buffer - 0m.

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- Bournemouth Greenbelt - 0m.
- Radon: Class: Class 1: Less than 1% - 0m.

### **Relevant Planning History**

P/CLE/2024/00737 - Anchor Paddock, Batchelors Lane, Holt, BH21 7DS - Retention of single storey rear extension – Refused 11/04/2024

P/HOU/2023/02656 - Anchor Paddock, Batchelors Lane, Holt, Dorset, BH21 7DS - Retain first floor dormer extension - Refused on 15/09/2023. The refusal reasons were:

- 1. The site lies within the Bournemouth Green Belt. The first floor dormer extension, when considered in the context of the other extensions built at the dwelling since the dwelling was first built, results in disproportionate additions over and above the size of the original building. The proposal therefore represents inappropriate development in the Green Belt which is harmful by definition and also results in harm to the openness of the Green Belt. No very special circumstances have been put forward that would outweigh this harm. The proposed development is therefore contrary to the provisions of Section 13 (Protecting Green Belt land) of the National Planning Policy Framework (2023), in particular paragraphs 147 to 150.*
- 2. The box design and massing of the dormer results in a poor form of design that jars with the simple roof form of the dwelling and the dormer window extension is contrary to Policy HE2 (design of new development) of the Christchurch & East Dorset Core Strategy 2014 and Section 12 (achieving well designed places) of the National Planning Policy Framework 2023.*

P/HOU/2022/06621 - Anchor Paddock, Batchelors Lane, Holt, Dorset, BH21 7DS - First floor dormer extension; rear single storey extension (retrospective) – Withdrawn on 03/03/2023.

3/17/2526/CLE - Anchor Paddock, Batchelors Lane, Holt, Wimborne, Dorset, BH21 7DS - C1 (Bed and Breakfast). Use of land, including 9no self-contained brick and timber chalets, as bed and breakfast holiday accommodation – Lawful on 02/11/2017.

03/80/1858/HST - Anchor Paddock, Batchelors Lane, Holt Lane, Holt – Erect extension – Granted on 19/09/1980.

03/80/1027/HST - Anchor Paddock, Batchelors Lane, Holt Wood – Erect extension – Refused on 24/06/1980.

03/79/2625/HST - Anchor Paddock, Batchelors Lane, Holt Wood, Holt – Erect addition to side of dwelling and make alterations – Refused on 18/01/1980.

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### **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.

### **Development Plan Policies**

#### **Adopted Christchurch and East Dorset Local Plan:**

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

- KS1 - Presumption in favour of sustainable development
- HE2 - Design of new development
- HE3 - Landscape Quality
- KS12 - Parking Provision
- KS3 - Green Belt
- ME1 - Safeguarding biodiversity and geodiversity

#### **Made and Emerging Neighbourhood Plans**

- N/A

### **Other Material Considerations**

#### **Emerging Dorset Council Local Plan:**

Paragraph 48 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 Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

#### **National Planning Policy Framework:**

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4. Decision making: Para 38 - 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

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conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- Section 12 ‘Achieving well designed and beautiful places’ 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 Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 184). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.

### **National Planning Practice Guidance**

Including Green Belt (last updated 19 December 2023)

### **Supplementary Planning Document/Guidance for All of Dorset:**

- 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.

### **Supplementary Planning Documents/Guidance for East Dorset Area:**

- Areas of Great Landscape Value SPG
- Countryside Design Summary SPG
- SPG07 Horton Conservation Area

## **Consultation Responses**

<b>Consultation Responses</b>	<b>No Objection</b>	<b>Object</b>	<b>Brief Summary Of Comments</b>
Town or Parish Council		X	<u>Received on 22/02/2024 – Object:</u> The proposal is a disproportionately large 2 storey development, more obtrusive than the original bungalow and not in keeping in this Green Belt location. We also note and support officers recommendation for refusal of P/HOU/2023/02656 and can see no reason

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			why this application differs. (Members request this application is referred to the Planning Committee if the officers recommendation is at variance to the above).
Ward Member(s)	No comments were received.		
Bournemouth Water Ltd	X		<u>Received on 14/02/2024:</u> We confirm Bournemouth Water has no comment or concern.
Third Parties	No neighbour comments were received.		

## Officer Assessment

	Yes	No	N/A
1. Does the proposal represent development that requires planning permission?	Yes		
2. Would the proposal be compatible with or enhance the character and qualities of the area in which it is proposed?	Please see Additional Assessment section.		
3. Would the proposal be compatible with or enhance the built form, height, mass and scale of development in the area?	Please see Additional Assessment section.		
4. Would the proposal be compatible with or enhance the appearance of the existing dwelling, street and area?	Please see Additional Assessment section.		
5. Would the proposal generally appear to be secondary or subservient to the main building?	Please see Additional Assessment section.		
6. Would the materials, details and features complement the existing dwelling and be consistent with the general use of materials in the area?	Yes		
7. Would the proposal leave adequate garden area / amenity space to	Yes		

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	prevent the proposal appearing as an overdevelopment of the site?			
8.	Would the proposal ensure the retention of trees at the site and adjacent to the site?			N/A
9.	Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?	Yes		
10.	Has the proposal been designed to prevent overlooking or loss of privacy that would be demonstrably harmful to any of the neighbouring properties and their gardens?	Yes		
11.	If located within a Special Character Area does the proposal comply with all the design criteria?			N/A
12.	Has the proposal been designed to safeguard any significant wildlife habitats and protected species, or is appropriate mitigation secured where harm has been demonstrated to be unavoidable?		No – Please see Additional Assessment Section.	
13.	If sited within a Flood Zone 2 or 3, or in Medium/High surface water flood risk areas or within 8m of a Main River Bank is the application accompanied by an acceptable Flood Risk Assessment or suitable flood prevention measures?			N/A
14.	Would the proposal avoid increasing flooding from any source elsewhere?			N/A
15.	Does the proposal avoid adverse impact upon highway safety? <i>For former East this may include parking provision.</i>			N/A
16.	If the development lies within the National Landscape (Area of Outstanding Natural Beauty), does the proposal conserve and enhance the			N/A

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	landscape and scenic beauty of the AONB?			
17.	Has the proposal been designed so that it would not adversely affect the setting of any listed buildings, Conservation Areas or areas of special landscape designation (Heritage Coast /National Landscape (Area of Outstanding Natural Beauty)?			N/A
18.	If the building is listed or is a non-listed heritage asset, would the proposal preserve the special architectural or historic interest of the building and its setting?			N/A
19.	If sited within a Conservation Area, would the proposal preserve or enhance the character and appearance of the Conservation Area?			N/A
20.	If sited within the Green Belt, would the development benefit from any of the following exceptions listed in NPPF?	Please see the below Additional Assessment section.		
	154 c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.			
	154 d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.			
	155 d) the reuse of buildings provided that the buildings are of permanent and substantial construction			
	Other exception- to be explained below			
21.	If sited within an area of land instability or coastal regression will the proposal result in any increased risk of ground instability either to the site or surrounding area?			N/A
22.	If sited within a known contaminated land site or contaminated land buffer,			N/A

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will the proposal have an acceptable impact on the safety of residents?			
23. Do you consider that the proposal is in accordance with the development plan taken as a whole? (If no, or if yes but recommending refusal, please explain further below)	Yes		

### **Additional Assessment**

The main considerations for this application are:

- Impact on green belt
- Impact on the character of the area
- Planning balance

### **Impact on the Green Belt:**

Holt Parish Council have objected to the planning application due to impact on the greenbelt.

The proposed development lies within the Bournemouth Green Belt.

Paragraph 152 of the NPPF (2023) states that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*

Paragraph 153 of the NPPF (2023) states *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*

Exceptions to inappropriate development are set out at paragraphs 154 and 155 of the NPPF (2023). These include:

*154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

Since the proposal includes demolition officers have also considered whether exception (g) is relevant:

- (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; ...*

It is concluded that as the proposal would retain and add to the original dwelling this criterion does not apply; the proposal is not redevelopment and should be treated as an extension.

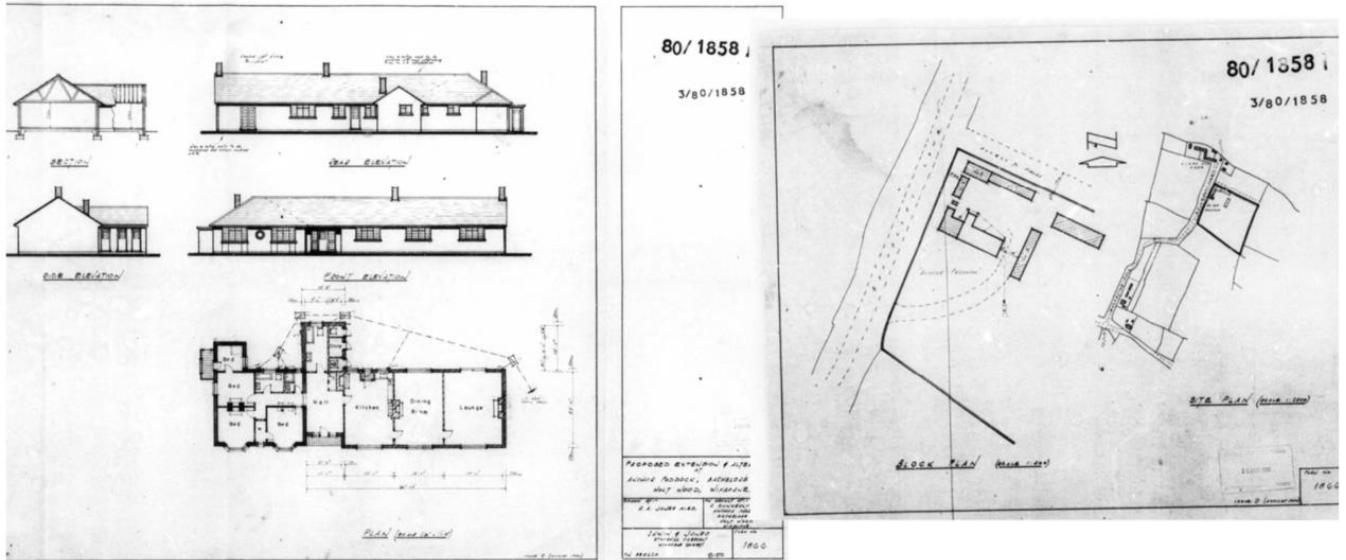


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## Whether the extension is proportionate

The application is to retain the first floor dormer extension; and demolish the existing outbuilding. In order to assess whether the extensions are proportionate it is necessary to identify the scale of the original dwelling.

The dwelling has previously been significantly extended under application 03/80/1858/HST - Erect extension – Granted on 19/09/1980.



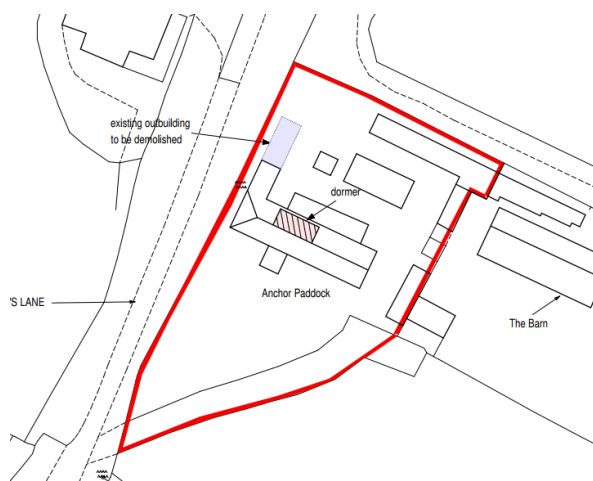
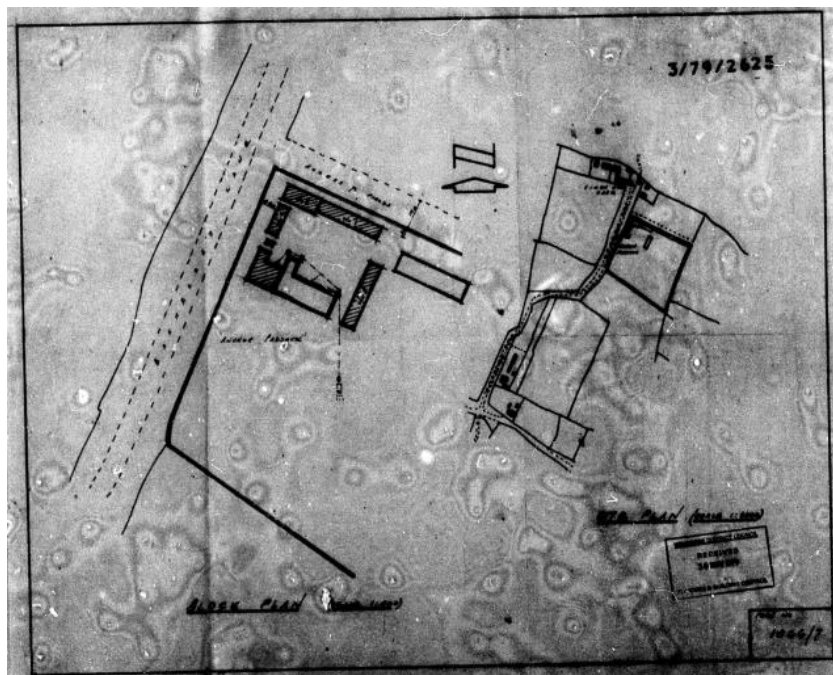
The latest plans show that the extension granted under planning application 03/80/1858/HST was built. Therefore, the original dwelling is taken to be that in blue on the floor plan below and the 03/80/1858/HST extension is shown in purple. It appears that the rear protrusion has been removed and a single storey extension constructed on the rear elevation which the Council considers represents a breach of planning control (currently at appeal) shown in pink on the elevation plan below, together with the large box dormer that is the subject of this application.



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In the Green Belt assessment of proportionality, the first-floor dormer extension needs to be considered cumulatively with the lawful extensions since the dwelling was first built.

The oldest planning record for the dwelling is 03/79/2625/HST which proposed an addition to the side of the dwelling shown in white on the plan below. This was refused 18/01/1980.



The building proposed for demolition (shaded blue on the plan) is evident on the 1979 site plan, but its appearance is that of an outbuilding, part of a range of buildings related to but separate from the dwellinghouse.

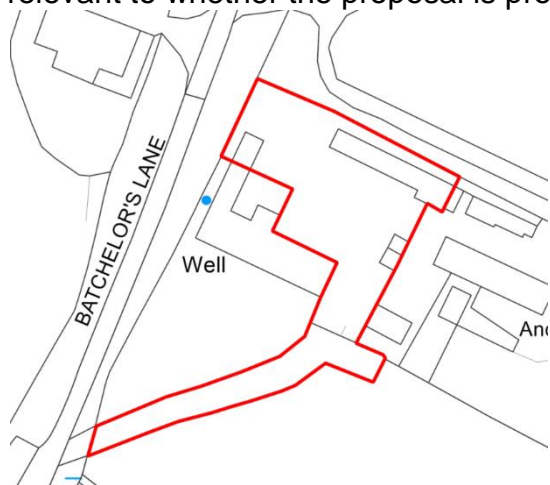
The applicant's agent has suggested that it was a replacement for a previous farm building.

On the balance of probability, it is considered unlikely that the building proposed for removal was constructed in conjunction with the dwellinghouse so as to form part of it.

Moreover the building lies within the area identified by Lawful Development Certificate 3/17/2526/CLE which confirmed a lawful use for *'Part change of use of C3 residential land to provide C1 guest B&B accommodation, consisting of 9no en-suite rooms formed from 3no. chalet buildings with garden dining room, together with shared recreational facilities consisting of two covered seating areas, a games room, a spa, a swimming pool, a sauna and steam room set amongst a deck and tiled patio*

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courtyard, with adjacent visitor/guest parking.’ In these circumstances the ‘outbuilding’ is not judged to form part of the dwellinghouse so its demolition is not relevant to whether the proposal is proportionate.



To assess whether the dormer extension proposed, together with previous extensions, represents a proportionate addition to the original dwelling, the original volume of the dwelling has been compared with that of the subsequent extensions and the proposed dormer:

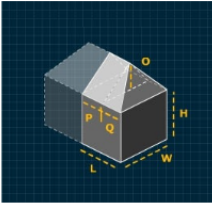
Approximate volume of the original dwelling = 286.49m<sup>3</sup>

267.64m<sup>3</sup>

$3.4 \times 1.98 \times 2.8 = 18.85\text{m}^3$

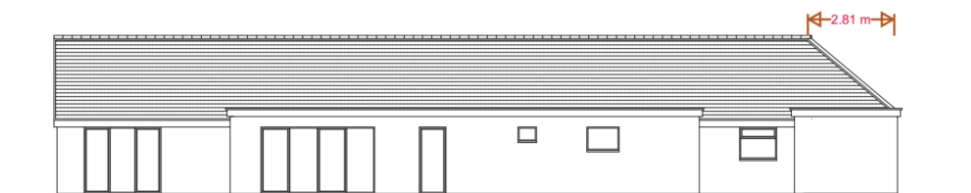
$267.64\text{m}^3 + 18.85\text{m}^3 = 286.49\text{m}^3$

Pitched roof — one end hip

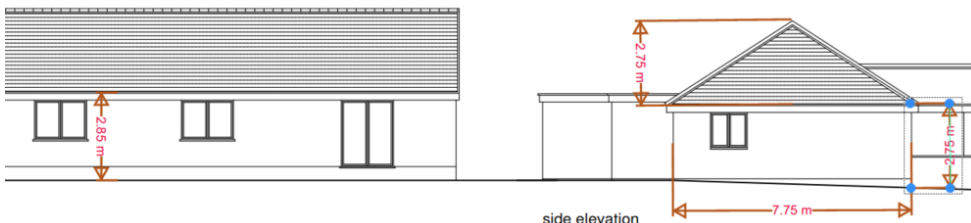


Height (metres)	<input type="text" value="2.8"/>	Total Volume: <b>267.64</b>
Width (metres)	<input type="text" value="7.75"/>	
Length (metres)	<input type="text" value="8.58"/>	
O (metres)	<input type="text" value="2.75"/>	
P (metres)	<input type="text" value="5.77"/>	
Q (metres)	<input type="text" value="2.81"/>	

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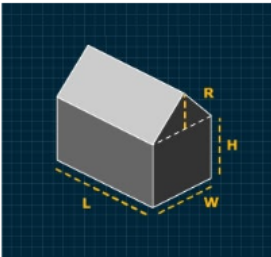
rear elevation



side elevation

Approximate volume of the 1980s extension (03/80/1858/HST) = **659.28m<sup>3</sup>**  
 610.24m<sup>3</sup>  
 4.15x4.22x2.8=49.04m<sup>3</sup>  
 610.24 + 49.04 = 659.28m<sup>3</sup>

### Pitched roof — two end gables



Width (metres)

Length (metres)

Height (metres)

Roof (metres)

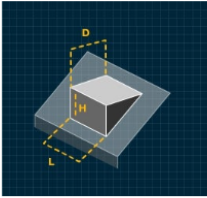
Total Volume:

**610.24**

Calcu

### Approximate Volume of Dormer = 40.4m<sup>3</sup>

Dormer window — flat roof



Height (metres)

Depth (metres)

Length (metres)

Total Volume:

**40.40**

Calculate Volume

Reset

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Approximate Total Volume of previous extension under 03/80/1858/HST and dormer:  
699.68m<sup>3</sup>

$$659.28 + 40.4 = 699.68\text{m}^3$$

Total volume of new / total volume of existing x 100

$699.68/286.49 \times 100 = 244\%$ . The proposed volume is approximately 244% of the original building volume. (This is excluding the unauthorised ground floor extension which does not form part of the proposal under consideration although it is shown on the plans.)

The proposed development would be disproportionate to the original dwellinghouse, and therefore cannot benefit from the exception at NPPF para 154(c).

### Impact on the Character of the Area

The Parish Council objected to the application stating that it is *“the proposal is a disproportionately large 2 storey development, more obtrusive than the original bungalow and not in keeping in this Green Belt location. We also note and support officers recommendation for refusal of P/HOU/2023/02656 and can see no reason why this application differs.”*

There is no change between the previous refusal and the current application in respect of design. The roof of the dormer rises above the ridge of the existing dwelling by approximately 0.23m and the scale and box design of the dormer dominates the roof and represents a poor design which has not overcome the previous reason for refusal. As such, the development does not comply with Policy HE2 (design of new development) of the Local Plan, and NPPF (2023) section 12 (achieving well designed and beautiful places).

### Impact on Biodiversity

The officer received two surveys which contradict each other and have different conclusions:

- A Preliminary Roost and Nest Assessment (by Ecological Surveys Ltd) was submitted to the officer on 02/05/2024, stating that two bat emergence surveys are required to determine appropriate mitigation.
- A Preliminary Roost Assessment Report and a Daytime Bat Walkover (by ROAVR Group) was sent from the agent to the officer on 25/06/2024, which stated that no further surveys are recommended as the building has negligible potential to support bats.

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The Council's Natural Environment Team has advised the following:

*“My recommendation is to base your decision on the PRA undertaken by Ecological Surveys. For starters, they have clearly identified potential roost features in the way of lifted, missing and slipped roof tiles, unsealed verges and missing mortar at the ridges. They have provided photographic evidence of such so they cannot be discounted. The tree and hedge line adjacent to the outbuilding has good connectivity in terms of hedgerows and connections to Priors Copse 250m to the east. If we were not to request the further surveys then we would be being negligent and in this case I would only be happy if they disproved presence through surveys.”*

Without additional surveys, officers are concerned that there is insufficient detail to demonstrate that harm to a protected species can and will be appropriately mitigated. No Biodiversity Plan and a signed certificate has been submitted; therefore, the proposed development is contrary to Policy ME1 (Safeguarding biodiversity and geodiversity) of the Local Plan.

### **Whether there are very special circumstances that justify approval**

#### *Demolition of outbuilding*

Responding to the previous refusal, the applicants have included the demolition of an existing building as part of the proposal.

Aerial photography together with the planning history suggests that the building is lawful as it has been in existence for more than four years.

Image taken 16 May 2002



Image taken 27 May 2023

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## Approximate Volume of Outbuilding: = 86.02m<sup>3</sup>

Pitched roof — two end gables

Width (metres)

Length (metres)

Height (metres)

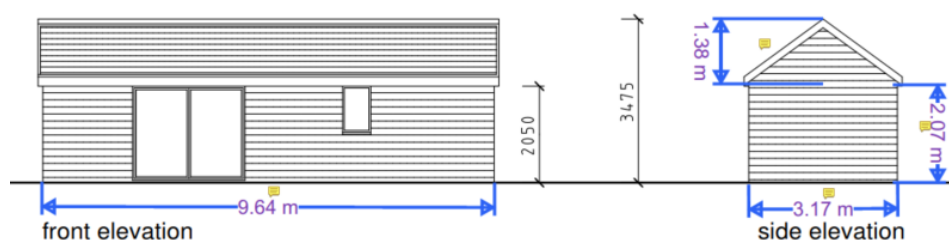
Roof (metres)

Total Volume:

**86.02**

Calculate Volume

Reset



The proposed removal of the outbuilding would result in some spatial improvement to openness of the Green Belt on the application site as it has a greater volume than the proposed roof extension. The removal of the building would also provide a modest improvement in visual separation between the dwelling and the B&B buildings to the north, however the single storey development has less visual prominence than the dormer extension and the site is well screened by vegetation so the impact would be limited. Overall, it is not considered that securing the demolition of the existing building would represent very special circumstances that would outweigh the harm to the Green Belt from inappropriateness and loss of openness and harm arising from poor design.

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### *Permitted Development Fall-Back Position*

Officers have considered whether there is a realistic fall-back position provided by opportunities for development under the Town and Country Planning (General Permitted Development) (England) Order 2015.

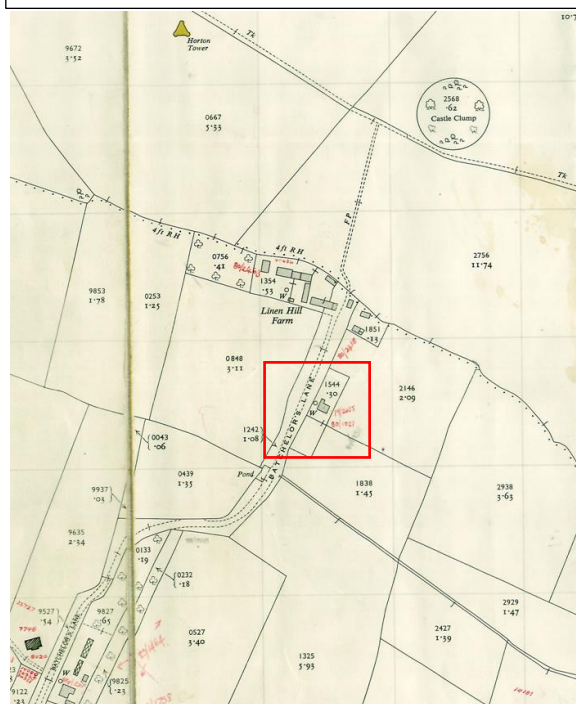
The applicant has provided a permitted development fall-back plan (Right to Rise Elevations, drawing number 4419-A7) in which they suggest that an alternative to the dormer would be to add another storey to the original dwelling.

The proposals on the submitted plan would not be permitted development, as it fails to meet Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2 Part 1, Class AA(c) and (i):  
*(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;*

The 1947 Aerial photography from Dorset Explorer



Old-Plotting Sheet – Map Number 197 (below OS map was published in 1956)



The above aerial photography from Dorset Explorer (dated 1947), show that the dwellinghouse was constructed before 1st July 1948, therefore, the permitted fall-back position does not apply as it fails to meet the permitted development criteria.

*(i) any additional storey is constructed other than on the principal part of the dwellinghouse.*

The proposal has included a modest rear projection on the original dwelling which had a lower roof so is not considered to form the principal part of the dwellinghouse.

## Conclusions



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There is not a realistic fall-back position available to the applicants to achieve first floor accommodation that would have a greater impact on the openness of the Green Belt than the proposal submitted. This is because the dwellinghouse was constructed before 1st July 1948, therefore, the permitted fall-back position does not apply as it fails to meet the permitted development criteria. There are no very special circumstances that would outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness and modest harm to the character of the area by reason of design. The proposed development is found to fail to comply with the Development Plan as a whole.

Additionally, the proposed development is contrary to Policy HE2 (design of new development) of the Christchurch & East Dorset Core Strategy 2014 and Section 12 (achieving well designed places) of the National Planning Policy Framework 2023 because it proposes the demolition of a building without demonstrating that harm to protected species will be avoided.

	Yes	No
Having regard to your answers to all the preceding questions, is the application considered to be acceptable?		No

**Recommendation:** Refuse, due to the following reason(s):

1. The proposal lies within the Green Belt where new development is inappropriate unless it meets certain exceptions. The proposed dormer extension does not benefit from any of the exceptions at paragraphs 154 and 155 of the National Planning Policy Framework and would result in harm to the openness of the Green Belt. No very special circumstances have been identified which would outweigh the harm to the Green Belt as a result of inappropriateness and loss of openness. The proposal fails to comply with policy KS3 of the Christchurch & East Dorset Core Strategy 2014 and paragraphs 142-143 and 152-155 of the National Planning Policy Framework (2023).
2. The box design and massing of the dormer results in a poor form of design that jars with the simple roof form of the dwelling contrary to Policy HE2 (design of new development) of the Christchurch & East Dorset Core Strategy 2014 and Section 12 (achieving well designed places) of the National Planning Policy Framework 2023.
3. The application is accompanied by two contradictory preliminary bat roost assessments. Insufficient evidence has been provided to demonstrate that harm to protected bats will be avoided or appropriately mitigated. No Biodiversity Plan certified by the Natural Environment Team has been submitted so the proposed development is contrary to Policy ME1 (Safeguarding biodiversity and geodiversity) of the Local Plan.

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### Informatives

1. National Planning Policy Framework

In accordance with paragraph 38 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 applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/ agent did not take the opportunity to enter into pre-application discussions.
- The applicant was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these concerns.

2. The plans that were considered by the Council in making this decision are:

- 4419:A6 - Site and location plan
- 4419:A3(C) - Floor Plans
- 4419:A2 - As built alterations- dormer only for consideration

<b>Case Officer Signature:</b>	CHI	<b>Authorising Officer Signature:</b>	EAD
<b>Date:</b>	11/10/2024	<b>Date:</b>	11/10/2024