

# Agenda Item 8

Eastern Area Planning Committee  
9 October 2024

<b>Application Number:</b>	P/FUL/2024/00324		
<b>Webpage:</b>	<a href="https://dorsetcouncil.gov.uk">Planning application: P/FUL/2024/00324 - dorsetforyou.com (dorsetcouncil.gov.uk)</a>		
<b>Site address:</b>	Land at Oak Tree Paddock Batchelor's Lane Holtwood Wimborne		
<b>Proposal:</b>	Convert existing building into dwelling house.		
<b>Applicant name:</b>	Peter Traves		
<b>Case Officer:</b>	Fiona McDonnell		
<b>Ward Member(s):</b>	Cllr Cook (during consultation) now Cllr Chatawaka		
<b>Publicity expiry date:</b>	27 August 2024	<b>Officer site visit date:</b>	23 September 2024
<b>Decision due date:</b>	9 August 2024	<b>Ext(s) of time:</b>	11 September 2024
<b>No of Site Notices:</b>	2 notices were displayed.		
<b>SN displayed reasoning:</b>	Both notices are displayed in visible locations. One is displayed on the gate/entrance to Oak Tree Paddock and a further notice is displayed on a tree near to the entrance.		

- 1.0** The application is before the Planning Committee at the request of the Chair.
- 2.0 Summary of recommendation:**  
GRANT subject to conditions set out in section 18.
- 3.0 Reason for the recommendation:** as set out in paras 16-17 at the end of the report.
- Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise. There is not considered to be any significant harm to local character.
  - The proposal benefits from the exceptions to inappropriate development in the Green Belt.
  - No harm to neighbouring residential amenity has been identified.
  - There is not considered to be any harm to the setting of local listed building.
  - Harm to biodiversity and trees can be appropriately mitigated.
  - Although the proposed dwelling is in an unsustainable location in the countryside no significant and demonstrable harm has been identified that would outweigh the benefits.

- There are no material considerations which would warrant refusal of this application.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	In an unsustainable location contrary to policy KS2 but will re-use a disused existing building and enhance its immediate setting.
Impact on the Green Belt	Acceptable- benefits from exception to inappropriate development.
Scale, design, impact on character and appearance	Acceptable- proposed materials and design acceptable in its rural context.
Impact on the living conditions of the occupants and neighbouring properties	Acceptable- good separation distance of 40m to nearest neighbouring property.
Impact on heritage assets	Acceptable- no harm to the setting of heritage assets.
Flood risk and drainage	Acceptable- low flood risk- condition included to agree a surface water drainage strategy.
Highway impacts, safety, access and parking	Acceptable- sufficient parking area available and no harm to highway safety.
Impact on trees	Acceptable- Tree protection measures satisfactory.
Biodiversity	Acceptable- Biodiversity plan approved by NET

#### 5.0 Description of Site and surroundings

- 5.1 The application site is in a rural location to the north of Bachelors Lane, at the northern extent of Holtwood development, on the edge of Horton Parish Council area. The site also borders Holt Parish Council area.
- 5.2 The 0.1ha site is presently occupied by an L-shaped, single storey, 20<sup>th</sup> century stable block and workshop in the northwest corner with hard surfacing in front. There is also two smaller buildings, one close to the west boundary to the south of the hardstanding, the second sited to the east, close to the north boundary. There is an old oak tree at the entrance to the site.
- 5.3 The site is accessed by a private single laneway which extends from Bachelors Lane. The site is surrounded by agricultural grazing land to the north, south and east, and by farm buildings to the west. The site is located immediately to the east of Linen Hill farm and approximately 500m to the southeast of Grade II listed building Horton Tower.

#### 6.0 Description of Development

- 6.1 It is proposed to convert the main stable/workshop structure into a four bedroom dwelling. Existing door openings in the southern elevation (former stable doors) will be adapted to integrate existing timber casement windows and doors behind the stable doors.
- 6.2 The main fenestration serving the living areas is in the northeast elevation. It is proposed to use synthetic rubber roofing, outer walls will be clad in burnet larch and small conservation style roof lights will be included where the hall sits under the pitched roof.
- 6.3 An outbuilding to the south of the stable building and a stable block is to be retained as will the existing area of hardstanding to the south of the building for use for car parking.

## **7.0 Relevant Planning History**

P/PAAC/2023/07148- Decision: WITHDRAWN - Decision Date: 22/01/2024  
Barn on Oak Tree Paddock, Holtwood, Wimborne  
Change of use and conversion agricultural building to form 1 No. dwelling (Class C3).

## **8.0 List of Constraints**

Within Green Belt.

Dorset Heathlands - 5km Heathland Buffer

Horton Conservation Area - Distance: 16.48m (Statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Horton Tower- Grade II\* listed approx. 250m northeast (Statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Area of Great Landscape Value (AGLV)

Bournemouth Water Consultation Area

Adjacent Public Right of Way

## **9.0 Consultations**

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

### **1. Natural England**

No objection subject to mitigation being secured

**2. Dorset Council Highways**

No objection

**3. Dorset Council Right of Way officer**

No objection subject to a condition to keep Right of Way open throughout construction

**4. Dorset Council Conservation Officer**

Initial objection based on impact to historic Horton tower. Objection lifted following receipt of amended plans.

**5. Dorset Council Natural Environment Team**

The application is not within the scope of the Dorset Biodiversity Appraisal Protocol as no negative impacts on protected species or important habitats are predicted. It is recommended that the ecological enhancements set out in Section 6.0 of the Preliminary Roost Appraisal are secured by condition should the application be approved.

**6. Dorset Council Tree Officer**

Since the gravel drive is established, it is unlikely the tree will be further affected by the build, but Tree protection fencing specification should be provided.

**7. Holt Parish Council**

Objection

- impact on the green belt
- Significant change to current use
- Inappropriate design
- Highly visual.

**8. Horton Parish Council**

No objection

**9. Ward Member**

No comments

**Representations received**

Total - Objections	Total - No Objections	Total - Comments
4	0	0

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

- Impact on highway- Bachelors Lane unsuitable for further development
  - Safety issues for horse riders and children.
  - Blind corners and damage to grass verges
  - Waste collection from end of lane.
- Impact on Horton Tower
- Noise from air source heat pump
- Impact on mature tree during construction
- High water table
- Vibration & dust from construction.
- Neighbours will not permit use of their land for laying water pipes.

### **10.0 Duties**

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

Section 66 of the Listed Buildings Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 additionally requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

### **11.0 Relevant Policies**

#### Development Plan

#### **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
- KS2- Settlement hierarchy
- KS3 - Green Belt
- KS12- Parking Provision
- HE2 - Design of new development

HE3 - Landscape Quality

ME1- Safeguarding biodiversity and geodiversity

ME2- Dorset Heathlands

ME6- Flood Management, Mitigation and Defence

### Material Considerations

#### **Emerging Local Plans:**

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**

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

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

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless 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 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' 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 beautiful 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 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 13 'Protecting Green Belt Land'- Great importance is given to the protection of Green Belts. The construction of new buildings in the Green Belt is inappropriate unless the exceptions at paragraph 154 are met. Other forms of development that are not inappropriate are set out at paragraph 155. Inappropriate development should only be granted in very special circumstances.
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- 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 (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

#### Other material considerations

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.

SPG07 Horton Conservation Area

Dorset Council SD01 Annual Position Statement – 5 Year Housing Land Supply 31<sup>st</sup> July 2024

## 12.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

## 13.0 Public Sector Equalities Duty

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

It is considered that the proposed development would not disadvantage persons with protected characteristics.

## 14.0 Financial benefits

What	Amount / value
Material Considerations	
None	
Non Material Considerations	
Council Tax	£2,408.68 (Band D)
Community Infrastructure Levy	£0 (no change to footprint)

## 15.0 Environmental Implications

The proposal will reuse the majority of the existing building fabric and will be constructed to accord with modern building regulations for dwellings. A Structural Insulated Panel system is to be employed in the roof to maximise thermal performance. An air source heat pump is proposed. The bedrooms will have a southerly aspect and larger fenestration in the north east elevation will secure natural daylight without overheating. The rural location of the dwelling will leave future occupiers reliant upon private vehicles; Building Regulations will secure an electric vehicle charging point.



## 16.0 Planning Assessment

16.1 The main material considerations for this application are:

- The principle of development
- Impact on the Green Belt
- Impact on the character of the area and heritage assets
- Impact on highway safety
- Impact on amenity
- Impact on biodiversity

These and other material considerations are assessed below.

### Principle of development

- 16.2 Policy KS2 directs development to settlements. In this case the application site lies in the countryside 1km by road from the village of Gaunts Common to the south (St James' First School is 2km along roads without pavements) and 2km by road north to Horton (2.5km to the village hall). The nearest settlement with shopping facilities is Wimborne (approx. 7k) and future occupiers would be reliant on private vehicle. There is no functional need for the proposed residential use in this location, so the proposal is contrary to policy KS2.
- 16.3 At the time that the agenda was finalised the Council was reliant upon a published 5 year housing land supply for the East Dorset area of 3.9 years. This meant that the tilted balance applied and policy KS2 was judged out of date. However, on 26 September the Council received confirmation from the Planning Inspectorate that they were satisfied that the Council's Annual Position Statement (APS) for the Dorset Council area can demonstrate a 5-year housing land supply. The Council can rely on a housing land supply of 5.02 years until 31 October 2025.
- 16.4 Whilst policy KS2 can be given full weight it is silent on the issue of building conversions, so it is necessary to consider the policy direction provided by the more recent National Planning Policy Framework. This identifies at paragraph 84 that decisions should avoid the development of isolated homes in the countryside but lists exceptions which include at 84 c) where *'the development would re-use redundant or disused buildings and enhance its immediate setting'*. Paragraph 157 of the NPPF explains that the reuse of existing resources including the conversion of existing buildings can help to support the transition to a low carbon future.
- 16.5 The building was empty when the biodiversity appraisal was undertaken in December 2023. The application form dated January 2024 confirms that the site is predominantly vacant except for some storage (evident outside the building) and 'the eastern wing used for metalwork repairs'. The agent has subsequently confirmed that the unauthorised metalwork use was very short term and ceased in the spring of this year and building is redundant. The proposal, which includes recladding the roof,

would improve the external appearance of the building providing some enhancement of the immediate setting. This is given weight in the planning balance.

#### Impact on the Green Belt

- 16.6 The application site lies within the Green Belt. Local Plan policy KS3 - Green Belt identifies that the most important purposes of the Green Belt in East Dorset are protecting the separate physical identity of individual settlements in the area and maintaining an open area around the conurbation. More detail is provided in section 16 of the National Planning Policy Framework.
- 16.7 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Some development listed at NPPF paragraphs 154 and 155 is not inappropriate in the Green Belt.
- 16.8 Paragraph 155 allows for (d) the re-use of buildings provided that they are of permanent and substantial construction and (e) a material change in the use of land. Both of these exceptions are subject to the provisos that they preserve Green Belt openness and do not conflict with the purposes of including land within it.
- 16.9 In this case the building has an established equestrian use with more than 7 stables which would usually be associated with regular visits and the parking of vehicles by those caring for their animals. The proposed change of use to a single dwellinghouse is unlikely to result in any significant increase in traffic or vehicles compared to the lawful use following the construction phase. The introduction of domestic paraphernalia is anticipated but the visual impacts on openness would be limited by the modest size of the garden area proposed and the screening provided by the existing built form; the grassed area to the east does not extend beyond the existing stable building. The site is not currently demarcated by fencing suggested by the submitted plans but the introduction of post and rail fencing, as could be achieved under permitted development rights, would not have a demonstrable impact on openness. The retention of two outbuildings to serve the dwelling will reduce the pressure for future ancillary development which could also be controlled by condition (no. 15).
- 16.10 Overall, it is judged that the change of use can be accommodated without harm to Green Belt openness or encroachment into the countryside. A condition to ensure that boundary demarcation is erected and retained will be necessary to reduce the likelihood of future expansion of the residential use (no. 10).

Impact on the character of the area and heritage assets

- 16.11 Policy HE1 'Valuing and Conserving our Historic Environment' of the Christchurch and East Dorset Local Plan requires that heritage assets are conserved. Policy HE2 'Design of New Development' requires development to be compatible with its surroundings in relation to 11 criteria including architectural style and visual impact, while policy HE3 'Landscape Quality' requires development to protect and seek to enhance the landscape character of the area.
- 16.12 The site is in a rural location accessed by a private single laneway which extends from Bachelors Lane. Concerns have been raised by objectors that the proposed dwelling would increase traffic resulting in harm to this character but as the proposal is for one dwelling, to replace existing stabling, limited trip rates are anticipated that are unlikely to be greater than associated with the established stabling use.
- 16.13 The proposed dwelling will retain the existing, single storey, stable form and character, with fenestration following the pattern provided by the stable doors in the southern elevation. The northern elevation will not incorporate any fenestration thereby avoiding light spill to the north. It is not anticipated that the proposed change of use will have any demonstrable impact on the key characteristics of the Woodlands Area of Great Landscape Value which include scenic landscapes, well maintained hedges and substantial woodland cover.
- 16.14 The site is located approximately 500m to the southeast of Grade II\* listed building Horton Tower which was built by celebrated Baroque architect Thomas Archer for Humphrey Sturt in 1794. The Tower is the most notable landmark building in the area being visually prominent due to its enormous scale. It continues to dominate the village and its surrounding landscape and its dramatic setting at the summit of Linen Hill is emphasised by open grassland grazed by sheep.
- 16.15 The open boundary and sloping open grounds which surround the Tower positively contribute to the historic, architectural, and aesthetic significance of the building. Ancillary buildings such as the stables at Oak Tree Paddock and the dispersed arrangement of buildings close to the tower promote the agricultural setting of the Tower and amplify the distinctive polite architectural form and prominence in the wider landscape.
- 16.16 The Council's Conservation officer requested modifications to the design of the new dwelling, to avoid visual prominence and the applicant has amended the fenestration arrangement, removing all glazing from the north west elevation and incorporating additional glazing changes in the north east elevation where the kitchen/ living area is located. These changes together with additional planting proposed have satisfied officers that the impact of the proposal from the public right of way will be limited.
- 16.17 No glazing is proposed facing the pastureland which will preserve the agricultural appearance and rural landscape setting of Horton Tower. Conditions are necessary

to remove permitted development rights for the north and west elevations to prevent future insertion of additional windows (no. 14) and control external lighting (no. 12). The Conservation Officer has advised that the current scheme will not harm the special character of the listed building and its setting, subject to conditions to control materials and finishes and joinery detail (condition 6).

- 16.18 A further condition is included to ensure that a soft landscaping plan is submitted. The soft landscaping plan to be agreed should include reinforcement planting of the boundary hedgerow to ensure gaps in the hedge which screen views of the building from the Tower is secured (condition 9).

#### Impact on Amenity

- 16.19 The proposal accords with the requirement of policy LN1 to meet minimum living space standards and will be served by an appropriately sized garden.
- 16.20 Policy HE2 requires development to be compatible with nearby properties including minimising disturbance to amenity. No harm is anticipated; the closest property, Linen Hill farm, is approximately 12m from the application site, separated by Batchelors Lane and landscaping but the nearest built form is a stable building screening the dwelling which is further west.
- 16.21 Anchor Paddock is located to the south of Oak Tree Paddock but there is a separation distance of 40m between the proposed conversion and buildings at Anchor Paddock.
- 16.22 An objection has been received from neighbours concerned about noise and dust arising from additional traffic using the unadopted single track gravelled access road. As previously explained, no significant increase in traffic is anticipated although a construction management plan is identified as necessary during the construction phase to control hours of operation and ensure that construction traffic is managed.

#### Impact on Highway safety

- 16.23 Batchelors Lane is a public right of way (E45/55) footpath which leads north past Horton Tower. Concerns have been raised about the impacts of an additional dwelling on other footpath users. The construction management plan previously mentioned can assist in reducing impacts during the construction phase.
- 16.24 The Highway authority are satisfied that traffic created by 1 additional dwelling will not result in any highway safety issues so there is no conflict with policy KS12. It is recognised that Batchelor's Lane is narrow but any future occupiers would be expected to drive with due care and attention.
- 16.25 Off street parking is available and will be secured by condition to accord with policy KS12 (no. 13).

### Biodiversity

- 16.26 Objectors are concerned that the development will deter bats, butterflies and breeding birds in the vicinity resulting in population loss of protected species of summer roosting and nesting fauna on and around the site. Reference has been made to the presence of adders and frequent visits by barn owls to the barns throughout the year. Concern has also been raised of potential harm to a 200-year-old oak tree; that the trees' root system is likely to be damaged during and/or after construction.
- 16.27 The application is supported by a preliminary roost appraisal by a qualified ecologist which identifies that the main building has no loft space. The building is not suitable for barn owls and no evidence of nesting birds was found in the building nor evidence of bats. The southern shed had some ivy growing over it which should only be removed in winter. The Dorset Natural Environment Team (NET) is satisfied that the development can take place without harm to protected species but has recommend that the ecological enhancements set out in Section 6.0 of Preliminary Roost Appraisal (KP Ecology, 04.12.2023)- bat bricks and nest boxes- are secured by condition, should the application be approved (condition 11).
- 16.28 It is necessary to ensure that the oak tree on the western site boundary is protected during the development. The tree is located approximately 22m from the stable block and 11m from the outbuilding identified for retention so it is not likely that the root system of the ancient tree will be impacted by the works. A tree protection plan identifies a line of tree protective fencing to be put in place beyond the crown spread and Root Protection Zone (RPZ) and this is considered sufficient to protect the tree during construction works subject to a specification being agreed (condition 3).
- 16.29 The site lies within 5km of the internationally protected Dorset Heathland. It has been possible to positively conclude a Habitats Regulations appropriate assessment because the harmful impact arising from the additional residential unit in combination with other plans and projects can be effectively mitigated via Heathland Infrastructure Projects and Strategic access maintenance and management identified in the Dorset Heathlands Planning Framework SPD 2020-2025. The mitigation will be secured via the Community Infrastructure Levy.

### Other Matters

#### *Surface water drainage*

- 16.30 The site is not in an area identified as being at risk of flooding but it is judged necessary to impose a condition (no. 4) to secure appropriate surface water management to ensure that these matters are properly dealt with as there are no details of current drainage arrangements.

#### *Contamination*

- 16.31 Since the building and land has previously been in equestrian use and potentially for metalwork, an unexpected contamination condition is judged necessary and reasonable in the interests of public health (no. 8)

*Waste collection*

- 16.32 Concern is raised with regard to waste collection arrangements at the dwelling. The agent has clarified the intension is for private waste collection, as is the case with some of the other properties along Batchelors Lane. It is anticipated that the proposed new dwelling would be added to this already existing private collection contract.

*Air source heat pump*

- 16.33 Paragraph 6.2 of supporting document 'planning, design and sustainability statement' (Jan 2024) advises that 'the proposal can incorporate the use of an air source heat pump for the generation of energy to serve the proposed dwelling'. Concern has been raised that Air Source heat pumps can be noisy and cause unwanted vibration. The agent has not confirmed that this will be the method used to heat the building, but a condition is included that should an Air Source heat pump system be incorporated- the heat pump should either comply with permitted development requirements or a noise impact assessment will be required (no. 7)

## **17.0 Conclusion**

The proposed market dwelling located outside of any settlement is contrary to Local Plan policy KS2, but the proposed conversion of the building would achieve modest enhancements to the immediate setting in accordance with NPPF policy at paragraph 84 which provides exceptions to the general rule against allowing isolated dwellings in the countryside. The setting of the local listed building will not be harmed by the development and the character of the area will be maintained. It is judged, on balance, that the proposal accords with the Development Plan as a whole. Approval is therefore recommended subject to conditions.

## **18.0 Recommendation**

### **Grant subject to the following conditions:**

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

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

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

Location Plan	2023 – 10 - 21
Block Plan	2023 – 10 - 22
Site Plan	2023 – 10 – 23A
Proposed floor plans	2023 – 10 – 25A
Proposed elevations	2023 – 10 - 27

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

3. Before any equipment, machinery or materials are brought on to the site for the purposes of the development, tree protection measures, details of which have first been submitted to and agreed in writing by the Local Planning Authority shall be installed. The approved tree protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In order to prevent damage during construction to the oak tree that contributes to the amenity of the area.

4. Prior to commencement of development details of the surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority and the approved drainage scheme shall be completed before occupation of the development.

Reason: To avoid drainage problems as a result of the development with consequent pollution or flood risk.

5. Prior to commencement of development hereby approved a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include hours of operation, vehicular routes, details of how deliveries will be managed to avoid access congestion. The development shall thereafter be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of road safety and neighbouring amenity.

6. Prior to their first use on site, details of all external wall, roof and window materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and thereafter maintained in accordance with the approved details.

Reason: In the interests of protecting the setting of Horton Tower and the character of the area.

7. No air source heat pump shall be installed on the dwelling unless one of the following applies:
- i) the air source heat pump shall comply with the requirements of Schedule 2, Part 14, Class G of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) or any subsequent reenactment thereof, or

- ii) details and a noise assessment of the air source heat pump have been submitted to, and approved in writing by, the Local Planning Authority. The noise assessment must be undertaken by a Suitably Qualified Acoustician and consider the local circumstances, the nature of the installation and the five factors (Tonality, Intermittency of operation, Sound levels in reverse cycle, Low background sound levels, Structure borne sound and vibration transmission). The Institute of Acoustics, and Chartered Institute of Environmental Health guidance should be taken into consideration.

Thereafter, the development shall proceed in accordance with approved details including any mitigation measures and shall be maintained and operated in accordance with those details and any noise assessment details that have been agreed.

Reason: To safeguard the amenity of the occupiers of adjoining residential properties.

8. 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.

9. Prior to first occupation of the dwelling hereby approved, soft landscaping and planting shall be carried out in accordance with details first submitted to, and approved in writing, by the Local Planning Authority. If within the first 5 years any trees or plants are found damaged, dead or dying then they shall be replaced and the whole scheme thereafter retained.

Reason: In the interest of the amenity of the area and biodiversity.

10. Prior to first occupation of the dwelling hereby approved, details of boundary fencing and gate(s) to separate the residential use from the remaining paddock shall be



submitted to and agreed by the Local Planning Authority. The boundary treatment shall be installed as approved prior to first occupation and thereafter retained.

Reason: In the interests of the character of the area and to protect the openness of the Green Belt.

11. Prior to the first occupation of the dwelling the ecological enhancements set out in section 6.0 of Preliminary Roost Appraisal (KP Ecology, 04.12.2023) shall be implemented in full. The enhancement features shall thereafter be maintained and retained.

Reason: To minimise impacts on and provide opportunities for biodiversity enhancement.

12. There shall be no external lighting of the dwelling hereby approved unless details have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the character of the area and biodiversity.

13. The parking and turning area shown on the approved plan 2023-10-23 rev A shall be kept available for parking and turning associated with the dwellinghouse for the lifetime of the development.

Reason: To secure adequate parking in the interests of the character of the area.

14. Notwithstanding the Town and County Planning (General Permitted Development) (England) Order 2015, or any subsequent reenactment thereof, there shall be no windows or other openings in the north (rear) or north-east side elevation of the building nor any windows installed in its roof.

Reason: In the interests of the character of the area and to protect the setting of Horton Tower.

15. Notwithstanding the Town and County Planning (General Permitted Development) (England) Order 2015, or any subsequent reenactment thereof, there shall be no further outbuildings under Schedule 2, Part 1, Class E on the site.

Reason: In the interests of the openness of the Green Belt and to protect the setting of Horton Tower.

#### **Informative Notes:**

1. Informative: National Planning Policy Framework Statement

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 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.

## 2. 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>

● Approximate Site Location

Application reference: P/FUL/2024/00324

Site address: Land at Oak Tree Paddock, Batchelor's Lane, Holtwood, Wimborne

Proposal: Convert existing building into dwelling house.

