

Householder Application Report

Reference No: P/HOU/2023/02656
Proposal: Retain first floor dormer extension
Address: Anchor Paddock Batchelors Lane Holt Dorset BH21 7DS
Recommendation: Refuse
Case Officer: Claire Hicks
Ward Members: Cllr Cook

Fee Paid:	£0.00		
Publicity expiry date:	27 June 2023	Officer site visit date:	16 February 2023
Decision due date:	25 July 2023	Ext(s) of time:	
Where Scheme of Delegation consultation required under constitution:			
SoD Constitutional trigger:	N/A		
Nominated officer agreement to delegated decision	Date agreed:	N/A	

Relevant Planning Constraints

- Horton Conservation Area - 69.95m.
- Local Plan Policy - Dorset Heathlands - 5km Heathland Buffer - 0m.
- Greenbelt: Bournemouth Greenbelt - 0m.
- Public Right of Way: Footpath E45/55 – PROW - 3.72m.
- Environment Agency - Risk of Surface Water Flooding Extent 1 in 1000 - 0m.
- Environment Agency - JBA - Risk of Groundwater Emergence; Groundwater levels are either at or very near (within 0.025m of) the ground surface.; Within this zone there is a risk of groundwater flooding to both surface and subsurface assets. Groundwater may emerge at significant rates and has the capacity to flow overland and/or pond within any topographic low spots – 0m.
- Bournemouth Water Consultation Area – 0m.
- Natural England Designation - RAMSAR: Dorset Heathlands (UK11021) - 2405.49m.

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- Site of Special Scientific Interest (SSSI) impact risk zone - 0m.
- Ancient Woodland: HOLT WOOD; Ancient & Semi-Natural Woodland - 432.05m.
- Ancient Woodland: QUEENS COPSE/HOLT FOREST; Ancient Replanted Woodland - 229.62m.

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

Relevant Planning History

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Batchelors Lane, Holt, Dorset, BH21 7DS - First floor dormer extension; rear single storey extension (retrospective) – Withdrawn on 03/03/2023 – PLA.

P/HOU/2022/04905 - Anchor Paddock, Pond Head Road, Holt, Wimborne, BH21 7DS - Create habitable first floor accommodation with roof lights and dormer – Application Invalid - PLA.

ENF/20/0313 - Anchor Paddock, Batchelors Lane, Holt, Wimborne, BH21 7DS - bungalow is being converted into two storey dwelling - ENF.

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 – PLA.

ENF/16/0408 - Anchor Paddock, Holtwood, Wimborne, Dorset, BH21 7DS - The site has Chalets which are used for letting business at the site - No business rates have ever been paid on the Chalets - Believed to have no PP – ENF.

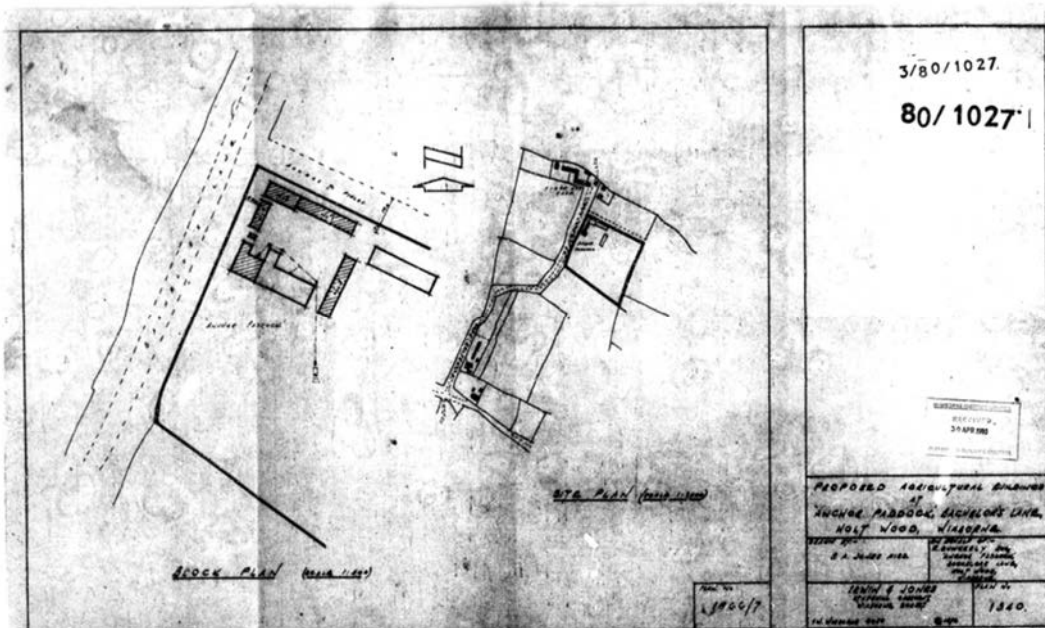
3/16/1460/CLE - Anchor Paddock, Batchelors Lane, Holt, Wimborne, Dorset, BH21 7DS - Use of the land, including 9 self-contained brick and timber chalets, as bed and breakfast holiday accommodation - Refused on 10/10/2016 – PLA.

16/00037/ENF - Anchor Paddock, Holtwood, Wimborne, Dorset, BH21 7DS - The site has 9 Chalets which are used for letting business at the site - No business rates have ever been paid on the Chalets - Believed no PA for these either – ENF.

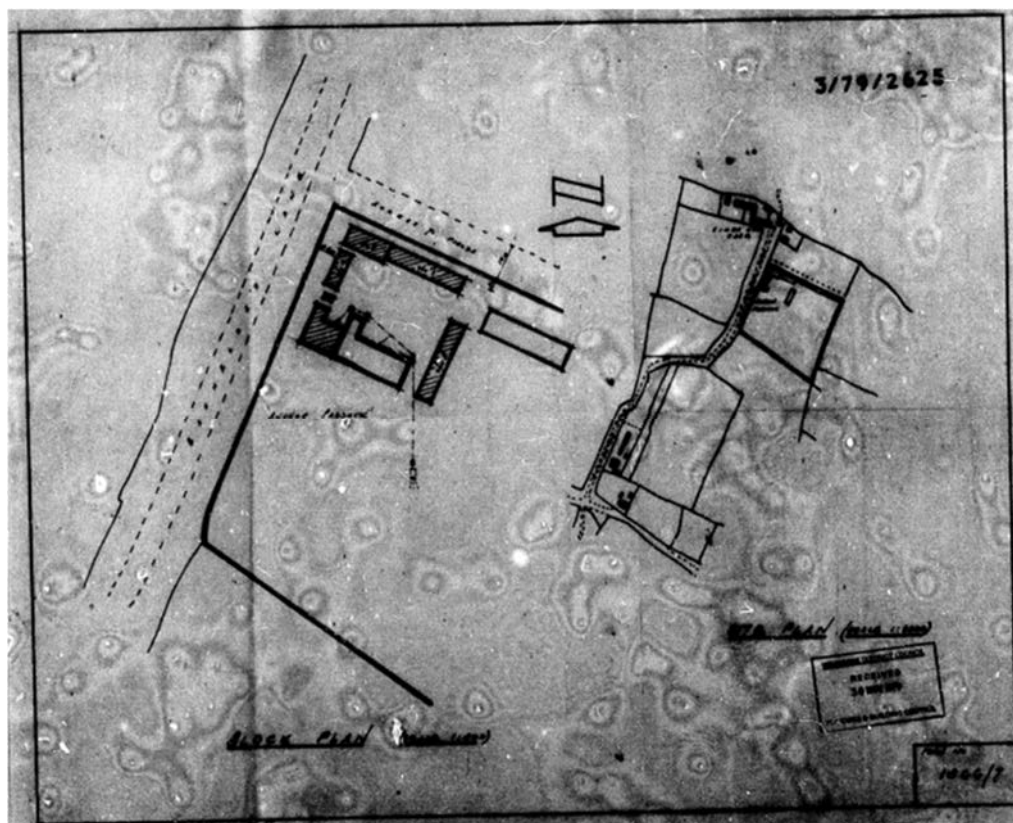
03/80/1858/HST - Anchor Paddock, Batchelors Lane, Holt Lane, Holt – Erect extension – Granted on 19/09/1980 – PLA.

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



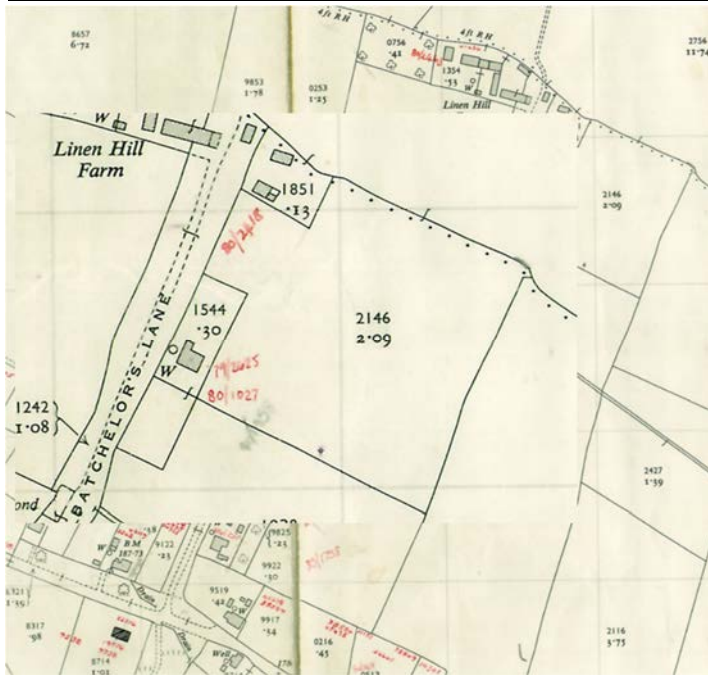
03/79/2625/HST - Anchor Paddock, Batchelors Lane, Holt Wood, Holt – Erect addition to side of dwelling and make alterations – Refused on 18/01/1980 – PLA.



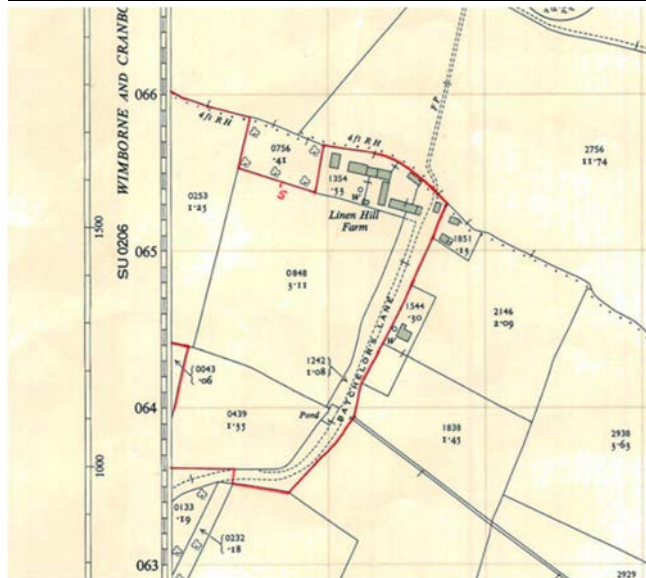
03/80/2418/HST – pt Plot 1851, Linnen Hill Farm, Holtwood – Erect bungalow – Refused on 26/01/1981.

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E-Old Plotting Sheet – Map Number 197 – 1956: 80/2418, 80/1027, 79/2625



E-Plotting Sheet – Map Number 197 - 1956

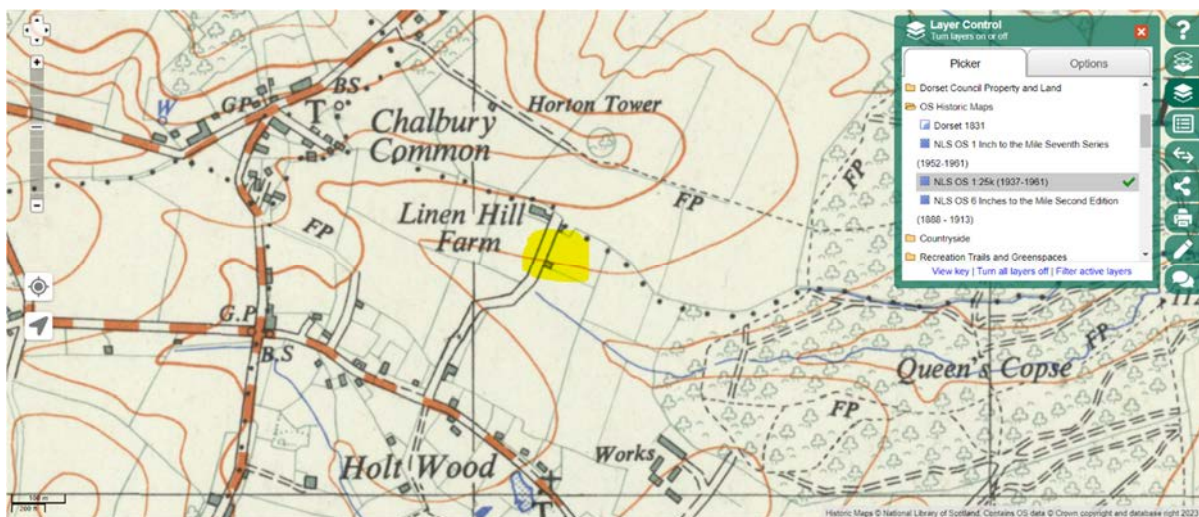


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Dorset Explorer – 1952-1961:



Dorset Explorer – 1937-1961:



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2002:



April 2020



July 2021



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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.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes 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 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 that regard is had to the purpose of conserving and enhancing the natural beauty of the AONB.

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

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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 taking: 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 12 'Achieving well designed 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 126 – 136 advise that:
 - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
 - It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
 - 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 176). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 173). 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).

National Planning Practice Guidance

Supplementary Planning Documents/Guidance for East Dorset Area:

- Areas of Great Landscape Value SPG
- Countryside Design Summary SPG

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- SPG07 Horton Conservation Area

Consultation Responses

Consultation Responses	No Objection	Object	Brief Summary Of Comments
Town or Parish Council		X	<u>Received on 29 June 2023:</u> OBJECTION to the proposal which is a disproportionately large 2 storey development which is more obtrusive than the original bungalow and not in keeping in this Green Belt location. (Members request this application is referred to the Planning Committee if your recommendation is at variance to the above).
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?		No	
3. Would the proposal be compatible with or enhance the built form, height, mass and scale of development in the area?		No	
4. Would the proposal be compatible with or enhance the appearance of the existing dwelling, street and area?		No	
5. Would the proposal generally appear to be secondary or subservient to the main building?		No	
6. Would the materials, details and features complement the existing dwelling and be consistent with the general use of materials in the area?	Yes		

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7.	Would the proposal leave adequate garden area / amenity space to prevent the proposal appearing as an overdevelopment of the site?	Yes		
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?			N/A – The rear extension and dormer have already been built – it is a retrospective application.
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 building lies within the Area of Outstanding Natural Beauty, does the proposal conserve and enhance the landscape and scenic beauty of the AONB?			N/A

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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 / 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 Additional Assessment section.		
	149 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.			
	149 d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.			
	150 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, will the proposal have an acceptable impact on the safety of residents?			N/A
23.	Do you consider that the proposal is in accordance with the development plan		No	

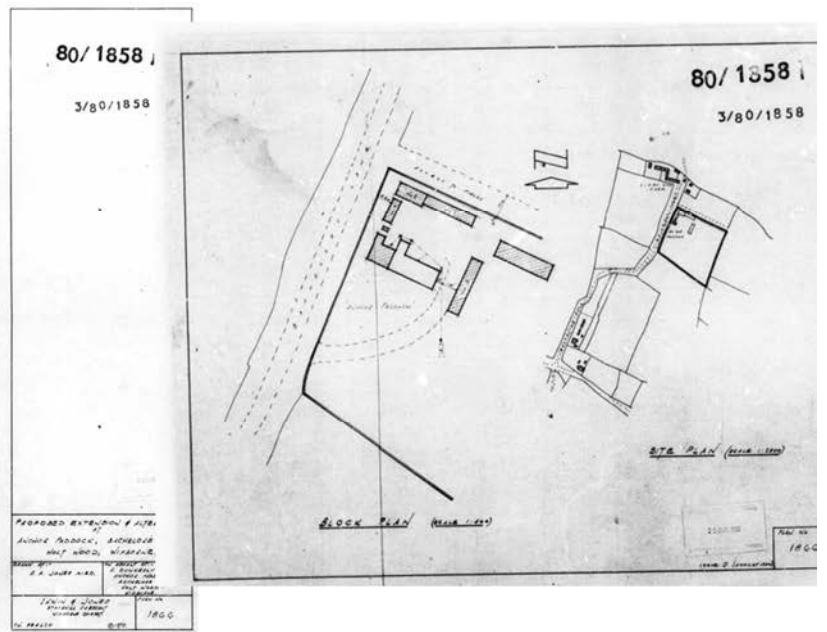
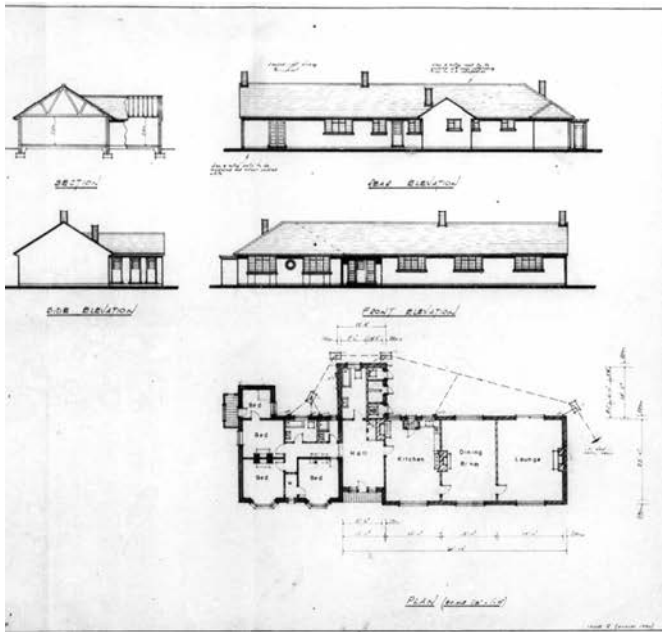
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<p>taken as a whole? (If no, or if yes but recommending refusal, please explain further below)</p>			
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Additional Assessment

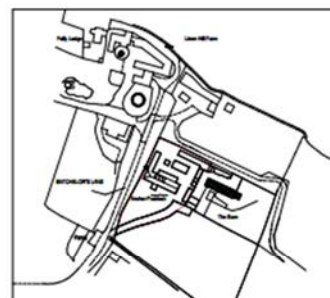
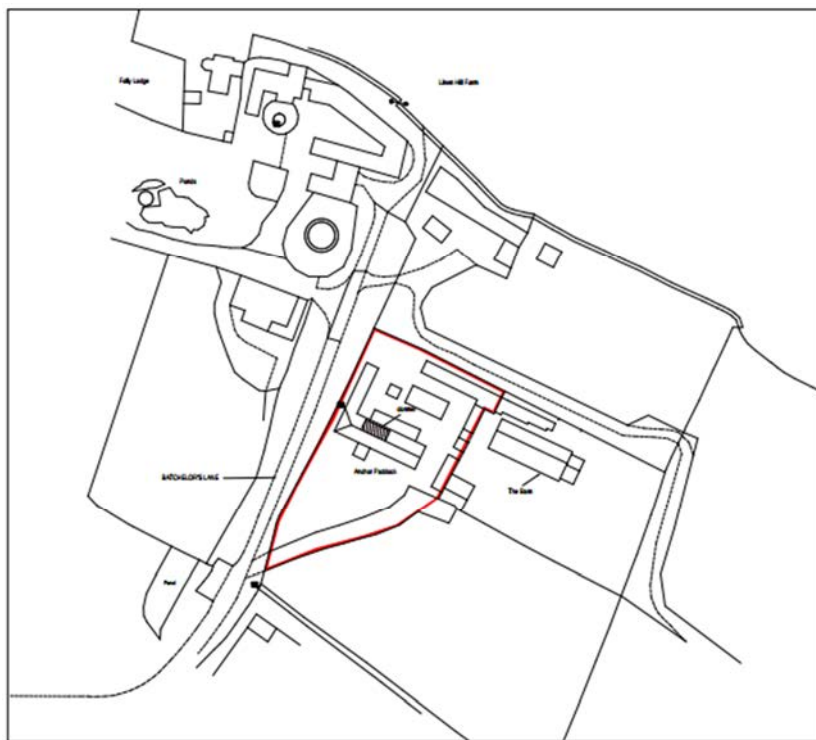
Impact on the Greenbelt

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

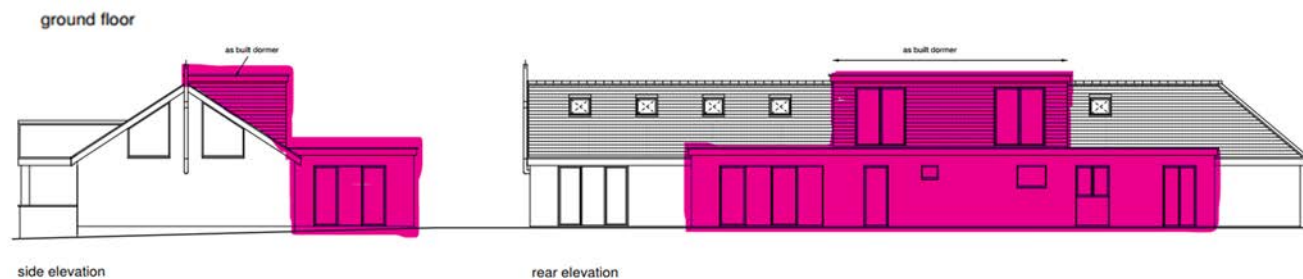


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Current Application:



The above images 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, and the 03/80/1858/HST extension is shown in purple in the below image. The single storey extensions that have been built on the rear elevation and large box dormer that it is applied to retain are shown in pink in the below images.



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Impact on the Green Belt

In the green belt assessment, the first floor dormer window needs to be considered in the context of all extensions built since the dwelling was first built

The NPPF (2023) states:

147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. 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.

The relevant policy to assess the proposal against of the NPPF is paragraph 149 c) as below:

149. 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;

To assess whether all extensions built at the dwelling together with the dormer window extension proposed are proportionate additions to the original dwelling it is necessary to calculate the original floor area of the dwelling and the floor area of all extensions built since the dwelling was first built and the dormer window:

Floor Area Calculations

Approximate floor area of original building = 75.1m²

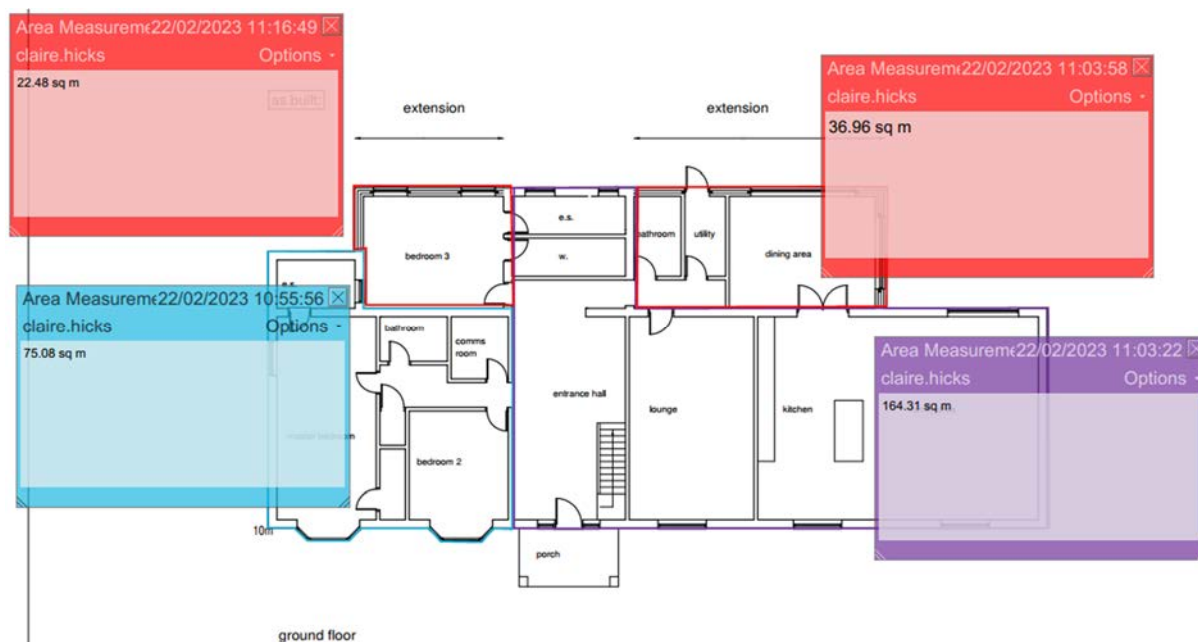
Approximate floor area of 03/80/1858/HST extension = 164.3m²

Approximate floor area of single storey extensions at the rear = 22.5 + 37.0 = 59.5m²

Approximate dormer floor area = 3.62 x 8.43 = 30.52 / 2 = 15.26m²

Total floor area of all extensions together with the proposed dormer = 164.3 + 59.5 + 15.26 = 239.06m²

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Therefore, the increase in floor area over and above that of the original dwelling as a percentage increase is $239.06/75.1 \times 100 = 318.3\%$ and the cumulative floor area of the extensions built since the dwelling was first built together with that of the dormer is 318.3% greater than the original building floor area.

This is considered to represent disproportionate extensions to the original building as commonly the Council consider an increase of up to 50% to be proportionate, although this is dependent on the massing of extensions. Therefore, the proposal is inappropriate development in the green belt.

The proposal fails to benefit from any of the other exceptions listed as 'appropriate development' in National Planning Policy Framework (2021) paragraphs 149 and 150.

The proposal results in harm to the Green Belt by reason of its inappropriateness by definition and is contrary to NPPF green belt policy.

There are no very special circumstances advanced for consideration and none that are evident to outweigh the harm from the proposal's inappropriateness.

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. As such, the development does not comply with Policy HE2 (design of new development) of the Local Plan, and NPPF (2021) section 12 (achieving well designed places).

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Conclusions

The proposed development is contrary to paragraphs 149 and 150 of the National Planning Policy Framework (2021) as it (when considered with the other extensions built since the dwelling was first built) represents disproportionate additions over and above the size of the original building contrary to NPPG paragraph 149 c).

The proposal is therefore inappropriate development in the Green Belt and is harmful by definition and results in harm to the openness of the Green Belt. No very special circumstances have been put forward or are evident 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.

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

Recommendation: Refuse for the following reasons:

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.

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Informative Notes:

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.

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

- Location and Block Plan - Drawing number 4419
- Existing Elevations - Drawing number 4419:A1(A)
- Existing and Proposed Floor Plans - Drawing number 4419:A(3A)
- Proposed Elevations - Drawing number 4419:A2

Case Officer Signature:	CHI	Authorising Officer Signature:	J. Brightman
Date:	13/09/2023	Date:	15/09/2023