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**Date:** 22 November 2022

**Ref:** P/PAAC/2022/06115

**Case Officer:** Philip Longhurst

**Team:** Northern

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## Planning Decision Notice

### Prior Approval - Agricultural to Dwelling

Town and Country Planning Act 1990

Town and Country Planning (General Permitted Development) (England)  
Order 2015 (as amended)

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**Application Number:** P/PAAC/2022/06115

**Location:** Bishops Farm Holt Lane Bishops Caundle Sherbourne DT9  
5LY

**Description:** Change of use & conversion of agricultural building to 1 no.  
dwellinghouse (Use Class C3)

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Dorset Council has considered this application in relation to;

- Transport and highways impacts of the development;
  - Noise impacts of the development;
  - Contamination risks on the site;
  - Flooding risks on the site;
  - Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and
  - The design or external appearance of the building, and
  - the provision of adequate natural light in all habitable rooms of the dwellinghouses,
- and has determined that **Prior Approval is required and granted**, for the development shown on the submitted plans and other supportive documents and subject to the following conditions which are in addition to the conditions set out in Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order (as amended):

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - 006 Location plan & site plan
  - 002 A Proposed ground floor plan
  - 001 A Proposed site plan
  - 003 B Proposed elevations
  - 007 Proposed Site Plan Visibility Splay.pdf

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

2. Before the dwelling hereby approved is first occupied the first 5.0 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

3. Before the dwelling hereby approved is first occupied the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

4. Before the dwelling hereby approved is first occupied the turning/manoeuvring and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

5. 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.

Should any contamination be found requiring remediation, a remediation scheme shall be submitted to and approved by the Local Planning Authority. The approved remediation scheme shall be carried out to a timescale to be first agreed with the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

## **Informatives**

This Prior Approval has been considered under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It has been permitted on the basis of the site solely being used for an agricultural use as part of an established agricultural unit in line with the requirements of the Order and specifically Class Q.1 (a)-(m).

It has also been permitted on the basis of the existing structure being converted as per the submitted plans/drawings. The applicant should note that any removal/demolition of the existing structure would render this Prior Notification application incapable of implementation as a conversion and that the requirements of Class Q.1 (a)-(m) should also be met.

Finally the Prior Notification has been determined based on the current information submitted at the time of the application. In the event that the site is sold on or there is a change in circumstances, any prospective purchaser should check whether the regulations continue to be met, and for the avoidance of doubt should consider the submissions of a further prior notification application if circumstances change.

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

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**Decision Date:** 22 November 2022

**Mike Garrity**  
**Head of Planning**  
**Economic Growth and Infrastructure**

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## **Notes**

### Site notice

If you have not already done so I would be grateful if you could take down and dispose of this application's site notice if it is still being displayed outside the property.

### Conditions

You should not start work until you have agreed with the Council the information requested by the conditions. If you fail to do this the works on site could be unauthorised and the Council may consider enforcement action.

### Appeals

If you disagree with our planning decision or the attached conditions, then you can appeal to the Secretary of State (Planning Inspectorate) under section 78 (1) of the Town and Country Planning Act 1990. If you want to appeal, then you must do so within Six Months of the date of this notice.

An appeal must be made by the applicant. Forms are available on-line from the Planning Portal. The Planning Inspectorate can allow a longer period for giving notice of an appeal, but they will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Planning Inspectorate need not consider an appeal if it seems that we could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. The Planning Inspectorate does not normally refuse to consider appeals solely because we based our decision on a direction given by them. For further information about making an appeal can be found at [www.planningportal.co.uk](http://www.planningportal.co.uk)