

Application Number: WD/D/19/000707

Site address: St Osmunds Church, Church Lane, Osmington, DT3 6EJ.

Proposal: Provision of handrail & access ramp to replace the existing steps at the lychgate

Applicant name: Mrs Elizabeth Ireland of St Osmund's Parochial Church Council

Case Officer: Steven Banks

Ward Members: Cllr Nick Ireland

1.0 Summary of Recommendation: Grant planning permission subject to conditions.

2.0 Reason for the recommendation:

- The location is considered to be sustainable and the proposal is acceptable in its design, materials and general visual impact.
- There is an improvement to accessibility which is of benefit to the community.
- There is not considered to be any harm to neighbouring residential amenity or to heritage assets.
- There are no material considerations which would warrant refusal of this application

3.0 Table of key planning issues

Issue	Conclusion
Principle of development	The proposed works, by reason of their nature and function, represent a sustainable form of development. The principle of the proposed works is therefore accepted.
The impact that the proposal would have on the character of the area and the setting of the listed buildings	The proposed access ramp and railings would preserve the character of the listed church and the setting of the nearby listed buildings. Its design, size, positioning and materials would maintain local distinctiveness and be in keeping with the character of the area.
The impact that the proposal would have on living conditions	The proposed works, by reason of their size and positioning, would not have an adverse effect on the living conditions of the occupiers of nearby properties.
The impact that the proposal would have on highway safety	The proposal, through removal of the steps and insertion of a ramp would improve safety and enhance accessibility to all.

Community benefits	Improved access will benefit the whole community and enable the effective and continued functioning of this valuable heritage asset
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4.0 Description of Site

The site can be found on the west side of Church Lane in Osmington. The area is predominantly residential and of a historic character. The Parish Church of St Osmund is a Grade II* Listed Building which can be found to the west of the proposal. A Grade II Listed Head stone and a Grade II Listed Monument can be found within the grounds of the Church. The remains of Manor House can be found to the west of the site and are Grade II Listed. The Old Vicarage, a Grade II Listed Building, can be found to the south west of the proposal. Stone walls form the north and west boundaries of the site. The steps by the lych-gate have been constructed out of stone and the path leading from the lych-gate to the church door has been constructed out of tarmacadam.

5.0 Description of Proposal

In this application it is proposed to install an access ramp, widen a footway, regrade a path using tarmacadam, and install a dropped kerb.

It is also proposed to remove a stone step by the lych-gate and re-grade the path and place it next to the existing steps, where they will be protected by a membrane underneath the proposed ramp. It is proposed to install black painted steel railing either side of the access ramp, construct the surface of the ramp out of concrete and the side wall of the ramp out of natural stone and recessed lime mortar.

5.0 Relevant Planning History

Application No.	Application Description	Decision	Date of decision
1/D/11/001764	Photovoltaic panels on south aisle roof	A	20 December 2011
1/E/01/001673	Partial demolition to remove roof and side walls of porch. Erect extension to porch and make internal and external alterations	W	19 March 2002
1/E/01/001674	Erect extension to existing south porch to provide WC and plant room	W	19 March 2002
1/E/03/001088	Erect extension to form new entrance lobby & 2 w.c.s	A	17 July 2003

6.0 List of Constraints

Outside of any Defined Development Boundary

Grade II and II* listed buildings (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

Within the Osmington Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

Dorset Area of Outstanding Natural Beauty (*statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000*)

Dorset Heath Designation Buffer

Osmington Ridge and Vale Landscape Character Area

Purbeck Heritage Coast

7.0 Consultations

Historic England

- No comment.

DC Conservation

- Support subject to there being no cement in the mortar and subject to the pointing being slightly recessed

DC Highways

- No objection subject to the imposition and attachment of a condition and informative on any permission.

DC Technical Services

- No objection.

Osmington Parish Council

- Support

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

8.0 Relevant Policies

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

- INT1. Presumption In Favour Of Sustainable Development

- ENV1. Landscape, Seascape And Sites Of Geological Interest
- ENV4. Heritage Assets
- ENV10. The Landscape And Townscape Setting
- ENV12. The Design And Positioning Of Buildings
- ENV16. Amenity
- SUS2. Distribution Of Development
- COM7. Creating a Safe and Efficient Transport Network

National Planning Policy Framework (NPPF) 2019

- 2. Achieving Sustainable Development
- 12. Achieving well designed places
- 16. Conserving and enhancing the historic environment

Decision taking:

Para 38 of the NPPF identifies that 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, including brownfield registers and permission in principle, 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.

Other material considerations

Osmington, West Knighton, West Stafford and Owemoigne Conservation Area Appraisal 2007

Dorset Area of Outstanding Natural Beauty Management Plan 2019 - 2024

West Dorset Landscape Character Assessment 2009

9.0 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.

10.0 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 PSED.

In this instance the needs of the population with mobility disadvantages will be improved so that they can have equal access to the Church Services.

11.0 Financial benefits

There will be no direct financial benefits. However, the improved access and use to the community will enable the long-term maintenance of the building, thereby retaining the value of the heritage asset.

12.0 Planning Assessment

The principle of development

There is a presumption in favour of sustainable development. The proposed works would enable a wider spectrum of the population to access independently and with relative ease, an existing church, which forms part of an existing settlement. The proposed works, by reason of their nature and function, represent a sustainable form of development. The principle of the proposed works is therefore accepted.

The impact that the proposal would have on the character of the area and the setting of the listed buildings

The proposed works, by reason of their - simple design; subservience to nearby structures; separation distance from listed structures and materials which would be sympathetic to the materials that can be found in the area, would preserve the local distinctiveness of the area and would not harm the setting of listed buildings in the vicinity, including the church itself. The materials and finishes with lime plaster recessed into the stone walls will ensure via planning condition that the impact on heritage meets the requirements of the Conservation Officer and reflects the traditional building methods appropriate within the curtilage of a listed building.

The impact that the proposal would have on living conditions

No direct or materially harmful overlooking of private habitable space would be possible from the proposed works. The proposed works, by reason of their small scale, size and positioning in relation to nearby properties, would not result in an overbearing or overshadowing effect. The proposal would not have a significant adverse effect on the living conditions of the occupiers of nearby properties.

The impact that the proposal would have on highway safety

It is considered that the proposal, by reason of its nature, would not harm highway safety and would improve access to the whole community including those using mobility from the highway. The Highway Authority has no objection to the proposal, subject to the imposition of a condition that the new access remains free from obstruction and an informative note providing details should the applicant wish the access to be adopted by Dorset Council.

13.0 Conclusion

It is considered that the proposed development would represent a sustainable form of development which would successfully integrate into the surrounding environment. It would result in better accessibility to a valuable heritage asset and be of social benefit to the wider community without causing harm to the environment or heritage.

14.0 RECOMMENDATION

GRANT PLANNING PERMISSION 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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan - Drawing Number HI9064-07-01-Orig received on 04/03/2019
Site Plan - Drawing Number HI9064-06-01-Orig received on 04/03/2019
Site Plan - Drawing Number HI9064-05-01-Orig received on 04/03/2019
General Arrangement - Drawing Number H19064/700/1/Orig A received on 10/05/2019

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

3. Prior to the use of the ramp hereby approved it shall have been constructed in accordance with the details shown on drawing H19064/700/1/Orig A received on 10/05/2019. The ramp shall be maintained, kept free from obstruction and made available for access purposes in perpetuity.

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

Informatives

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.
- The applicant was provided with pre-application advice.

Highways

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, Hall, Dorchester, DT1 1XJ.