

Application Number:	P/HOU/2023/03822		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	2 Long Street Cerne Abbas DT2 7JF		
Proposal:	Erect two single storey and two first floor extensions to rear.		
Applicant name:	Karen Malim and Richard Gueterbock		
Case Officer:	Nicholas Batten		
Ward Member(s):	Cllr Haynes		
Publicity expiry date:	18 August 2023	Officer site visit date:	Planning officer visited the site on the 28 September 2023, and site notice photographs were received from the applicant/agent on the 24 July 2023.
Decision due date:	8 September 2023	Ext(s) of time:	
No of Site Notices:	1		
SN displayed reasoning:	Site notice displayed on the front gate adjacent to the highway.		

1.0 Application is considered at planning committee as the Scheme of Delegation referral requested a committee decision.

2.0 Summary of recommendation:

REFUSE for the following reason:

The proposal enlarges the listed building on the ground floor and the first floor and the extent and scale of the extensions would fail to conserve or enhance the significance of the building. The listed building has already been altered and extended, and the external alterations to 2 Long Street would cause less than substantial harm to the character, original plan form, symmetry, setting and significance of the heritage asset, with no overriding public benefit. The proposal is

contrary to Policy ENV4 of the adopted Local Plan, the National Planning Policy Framework paragraphs 199, 202 and 206 and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3.0 Reason for the recommendation:

- The proposal is considered to lead to less than substantial harm to the significance of the grade II listed building, Holly Lodge.
- The harm to the significance of the heritage asset has more weight than public benefits and is not outweighed.
- The listed building is capable of use as a dwelling and so this proposal is not necessary to secure its optimal viable use.
- The harm to the historical interest of the building includes the character, setting, loss of historic fabric, and detrimental impact on the plan form and layout harming the architectural interest and features of the building.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development is established for extensions within the defined development boundary. However, the proposal would not respect the character and significance of the listed building and material considerations relating to the harm to the historical and architectural interest outweigh the benefits of the proposal.
Scale, design, impact on character and appearance	The proposal enlarges the scale of the listed building that has already been extended, the extensions would have a detrimental impact on the original plan form, harming the character and historic fabric of the building.
Impact on amenity	The proposal has an acceptable impact on amenity with regards to loss of privacy/overlooking, overbearing impact, unacceptable levels of overshadowing and noise/disturbance.
Impact on heritage assets	The proposal leads to less than substantial harm to the designated heritage asset, 2 Long Street, this harm is not outweighed by the public benefits of the proposal, and the

	<p>extensions would not contribute positively to the asset's conservation.</p> <p>The proposal is not considered to harm the nearby listed buildings or the Cerne Abbas Conservation Area.</p>
Impact on landscape	<p>The proposal is single storey to the side elevation adjoining an existing extension, and the rear extensions including the 1st floor extensions, height and mass would conserve the landscape and scenic beauty of the Dorset AONB.</p>
Flood Risk	<p>The site is located within Flood Zone 3 and high risk of surface water flooding, with the proposed development site also within Flood Zone 3. A flood risk assessment was submitted with a flood warning and evacuation plan and with flood resilience and resistance measures, and is considered to be sufficient as an assessment.</p>
Rights of Way	<p>The proposal is within the vicinity of Public Footpath S13/30. However, the Rights of Way Officer and the Ramblers Association have not commented, and the proposed development should not affect the Public Rights of Way.</p>

5.0 Description of Site

The proposal relates to no. 2 Long Street, which is one half of a pair of semi-detached dwellinghouses, jointly listed as 2 and 4 Long Street (Holly Lodge). The principal elevation facing the highway to the front is of significance with stone walls, stuccoed and painted white and of 19th century construction. The building is 2 storey, with an attic and a 20th century dormer on the front elevation of 2 Long Street. 2 Long Street has been extended to the rear with two storey and single storey extensions, and a single storey side extension. The walls of the extensions are painted white and the roofs are natural slate, except for the flat roof extension. The front elevation windows are timber and sash painted white, and the other windows and patio doors are timber and painted white. There are brick end chimney stacks to the two storey gables to the side and rear elevation, and a further dormer on the rear elevation. It is likely the two storey extension to the rear is a Victorian extension.

The building is grade II listed and 4 Long Street adjoins 6 Long Street, which is also grade II listed. On the other side of the highway facing the applicants building is 1 Long Street a grade II listed building, and there are a number of other listed buildings

within the locality. The site is close to the historic centre of Cerne Abbas and is within the Cerne Abbas Conservation Area.

The site is within the Dorset AONB, and the site is in Flood Zone 2 and 3 and at risk of medium/high surface water flooding.

6.0 Description of Development

The proposed development is to 2 Long Street only and consists of single storey extensions to the rear elevation to extend the kitchen, with the door and window repositioned, and a side extension to extend an existing lean-to. First floor extensions are a flat roof extension above the existing flat roof on the ground floor to provide a landing, and an extension above the single storey lean-to to form a two storey end gable elevation.

The external materials are lime render walls, slate roofs (except the flat roof) and timber windows and a replacement front door.

7.0 Relevant Planning History

WD/D/19/002646 - Decision: RES - Decision Date: 06/01/2020

PRE-APPLICATION ENQUIRY - Development of one or two houses in large garden

1/E/94/000623 - Decision: GRA - Decision Date: 06/01/1995

Demolish existing garage and erect new garage

1/E/94/000624 - Decision: GRA - Decision Date: 06/01/1995

Demolish existing garage and erect new garage

P/TRC/2022/05959 - Decision: ANR - Decision Date: 16/12/2022

T1 Copper Beech - Reduce over extended canopy over highway by up to ?m

P/TRC/2022/06791 - Decision: TN - Decision Date: 23/11/2022

T1 Copper Beech - Crown lift to 5.2m over highway & prune back canopy by 2m - to allow vehicle access

P/PAP/2022/00817 - Decision: RES - Decision Date: 06/02/2023

Repairs and alterations to dwelling

P/TRC/2023/06406 - Decision: TN - Decision Date: 23/11/2023

T1 Ash - Fell

T2 Maple - Reduce entirely back to previous points by up to 3m & crown raise over the road by 1m

T3 Copper Beech - Reduce entirely by up to 2m & shape. Thin by 10% & remove crossing branches and deadwood

T4 Oak - Fell

T5 Beech - Crown raise by 2m, cut back by 1.5m & sympathetically shape in to give clearance of the Mulberry

T6 Bay - Fell

H1 Mixed Hedge - Remove

8.0 List of Constraints

LB - Grade: II Listed Building: K6 TELEPHONE KIOSK (AT JUNCTION OF LONG STREET AND BACK LANE) NO 228 List Entry: 1119406.0

LB - Grade: II Listed Building: BROOK COTTAGE List Entry: 1323834.0

LB - Grade: II Listed Building: HOLLY LODGE List Entry: 1119445.0

LB - Grade: II Listed Building: RALEIGHS List Entry: 1119446.0

CON - CERN, Cerne Abbas Conservation Area

LP - ENV 4; Listed Building; NULL

LP - SUS5; Made Neighbourhood Development Plans; Cerne Valley

LP - SUS2; Defined Development Boundary; Cerne Abbas

LP - ENV 4; Conservation Area; CERNE ABBAS CONSERVATION AREA

LP - ENV 2; Poole Harbour Nutrient Catchment Area; Poole Harbour

LP - ENV 9; Groundwater Source Protection Areas; NULL

LP - ENV 1; Area of Outstanding Natural Beauty; Dorset

LP - ENV 9; Groundwater Source Protection Areas; LOWER MAGISTON

LP - Boundary; West Dorset District Boundary; West Dorset

LP - Landscape Chara; Chalk Valley and Downland; Cerne and Sydling Valley

NPLA - Type: Neighbourhood Plan - Made; Name: Cerne Valley NP; Status 'Made' 08/01/2015

NPLA - Type: Neighbourhood Area; Name: Cerne Valley; Status Designated 04/02/2013

DESI - Nutrient Catchment Areas

NELA - Dorset

PAR - Cerne Abbas CP

WARD - Chalk Valleys Ward

PROW - Right of Way: Footpath S13/30

WW - Wessex Water: High Risk of Foul Sewer Inundation

EA - Risk of Surface Water Flooding Extent 1 in 30

EA - Risk of Surface Water Flooding Extent 1 in 100

EA - Risk of Surface Water Flooding Extent 1 in 1000

EA - Groundwater – Susceptibility to flooding; NULL; NULL

EA - EA - Groundwater Warning Zones 2019

DESI - Area of Outstanding Natural Beauty (AONB): Dorset

DESI - Higher Potential ecological network

DESI - Wildlife Present: bat

DESI - Site of Special Scientific Interest (SSSI) impact risk zone

DESI - Scheduled Monument: Tithe barn (uninhabited portion) at Barton Farm (List Entry: 1002682); - Distance: 124.95

DESI - Scheduled Monument: Churchyard cross (List Entry: 1002743); - Distance: 299.64

DESI - Scheduled Monument: Cerne Abbey, site of, including gatehouse, guesthouse and wine house (barn) (List Entry: 1002681); - Distance: 377.37

EA - Main River Consultation Zone

FLD - Flood Zone 3 (record ID)

FLD - Flood Zone 2 (record ID)

EA - Poole Harbour Catchment Area

EA - Groundwater Source Protection Zone

RAD - Radon: Class: Class 1: Less than 1%

Within defined development boundary of Cerne Abbas.

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

Within the Cerne Abbas Conservation Area (statutory duty to preserve or enhance the character or appearance of the conservation areas under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Dorset (Areas 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)

Right of Way: Footpath S13/30

9.0 Consultations

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

Consultees

1. **Ward Member - Chalk Valleys Ward** - This property has been empty for many years and is in a very run down condition. It was difficult to sell due to the steepness of the stairs, which are unsafe. The new owners would like a three bed home, and English Heritage as written in the consultation response have no objections. The Parish Council request that the proposal is dealt with by the Dorset Council officers as significant matters need to be addressed, and as the Conservation Officer has an opposing view to the English Heritage consultation, this proposal should be decided at planning committee. Empty properties should be occupied.
2. **DC - Rights of Way Officer** – No comments received.
3. **Cerne Abbas Parish Council** - Cerne Abbas Parish Council object – The Parish Council agree with the Dorset Council officers response that significant matters within the application need to be addressed.
4. **Ramblers Association** – No comments received.
5. **Historic England's comments on the listed building application-**

We wrote to you on 20 July 2023 requesting additional information to substantiate the claim that the existing staircase is not in its original position. The applicant's photographs, uploaded to your planning website on 30th August 2023, provide the necessary proof that the staircase indeed appears to have been moved, probably when the building was used as a tea shop in the early 20th century.

The relocation of the staircase to something approximating its original position will have no impact on the building's significance, and we note that the handrail, which may be original, we be reused. This being the case I confirm that Historic England have no objection to the proposals, and are content for the application to be determined in line with National and local planning policy and guidance, and on the basis of your own internal specialist conservation advice.

Recommendation Historic England has no objection to the application on heritage grounds. Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

6. DC Conservation Officer Objection:

Kitchen extension

There is no objection to the extension of the kitchen. Whilst this is a late 19th century extension, it is considered here that slightly bringing the extension towards the existing leanto will not considerable change the planform. The rear of the existing wall is not considered to hold any specific architectural merits and the proposed elevation will be in keeping with the character of the house. As mentioned in the pre-application, the flagstones should remain in place and not be removed, and this should be indicated on plans.

Garden room

The extension of this 20th century room is acceptable and will not lead to harm to the historic fabric or planform.

First-floor Extensions

As stated in the pre-application: "The addition of an extension in listed building should not greatly compromise the original planform of the building, nor distract from its character." Whilst it is noted that the larger rear bedroom extension has been removed from this proposal, the two proposed first-floor extensions raise several concerns:

The bathroom extension will completely hide the mid-19th century first-floor extension and change the shape of the ground-floor late 19th century lean-to at the rear;

- The variety of shape created by the different extensions makes the different phases of the house legible. Squaring and extending the first-floor will compromise this understanding;
- Considering that there is already a bathroom on the same floor, no clear and convincing justifications can be found to outweigh the harm
- As previously mentioned, as the proposal would already altered/make improvement to the current kitchen area and extend it, as well as extend the 20th century garden room, it can be considered that the house would be extended to its maximum. Any further extension would change the historic planform and symmetry with the paired cottage too much.
- As such, the addition of a corridor extension will not only change the "L" shape planform but also lead to loss of historic fabric. It would also create an incongruous shape.

Representations received

Total - Objections	Total - No Objections	Total - Comments
0	1	1

1 letter of support was received.

- Support the proposal.

The property has remained unoccupied for several years, with interested buyers concerned on the safety of the staircase. It is narrow, vertiginous, and has little natural light. It has no historic value, moving it, contrary to the Conservation view, would benefit all and everyone who enter the house. There is no external change involved in the movement of the staircase.

Many of us in the village are conscious of our building heritage, caring for the buildings as best as possible involves being able to live practically and safely.

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.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 requires that in considering whether to planning permission, special regard is to be had 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.

11.0 Relevant Policies

Development Plan

Adopted West Dorset and Weymouth & Portland Local Plan:

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

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV4 - Heritage assets
- ENV5 - Flood Risk
- ENV10 - The landscape and townscape setting
- ENV12 - The design and positioning of buildings
- ENV16 - Amenity
- SUS2 - Distribution of Development

Made Neighbourhood Plans:

Cerne Valley Neighbourhood Plan:

Policy 2 All applications for new development should demonstrate high quality of design, use of materials and detail, which reflect local distinctiveness; also having regard to prevailing scale, massing and density and the development principles as set out on page 10 of the Cerne Valley Neighbourhood Plan.

Material Considerations

National Planning Policy Framework:

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:
Para 130. Planning policies and decisions should ensure that developments:
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- Section 14. Meeting the challenge of climate change, flooding and coastal change:
Para 167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
Para 168. Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 55.
- Section 15. Conserving and enhancing the natural environment:
Para 176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.
- Section 16. Conserving and enhancing the historic environment:
Para 199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
Para 202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
Para 206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive

contribution to the asset (or which better reveal its significance) should be treated favourably.

Supplementary Planning Document/Guidance

All of Dorset:

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

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 application would not materially affect people with protected characteristics and in particular those with impaired mobility.

14.0 Planning Assessment

Principle of development

The property is located within the defined development boundary of Cerne Abbas. Therefore, policy SUS2 is applicable. This policy states that within the defined development boundaries residential, employment and other development to meet the

needs of the local area will normally be permitted. Whilst the principle of extending the property is supported within this location, the conservation impacts must also be considered.

Impact on listed building including scale, design, character and appearance

The proposal is considered to lead to less than substantial harm to the significance of the grade II listed building – no. 2 Long Street. The building has already been extended and enlarged; this includes relatively modern ground floor extensions to the rear of the house to form a flat roof extension and a lean-to. The first-floor extensions above the flat roof extension to form a box room, landing and the end gable extension, would fail to respect the character and original plan form of the listed building. Considered cumulatively with previous extensions, the incongruous appearance of the first floor, flat roofed extension and bulk of the first floor bathroom extension would harm and adversely affect the significance of the listed building.

The Conservation Officer has raised objections to the planning application and the associated listed building consent P/LBC/2023/03823, by virtue of the harm to the historical interest of the building including the character, setting, loss of historic fabric, and detrimental impact on the plan form and layout harming the architectural interest and features of the building.

The conservation officer has commented with regards to the first floor extensions:

The pre-application advice stated that “the addition of an extension to a listed building should not greatly compromise the original plan form of the building, nor distract from its character.” Whilst a larger rear bedroom extension was removed from the proposal, following the advice offered, the two proposed first-floor extensions raise several concerns:

- *The bathroom extension will completely hide the first-floor extension and change the shape of the ground-floor lean-to at the rear. It will require an external wall of the house to be partly removed, which will lead to loss of historic fabric. This is not acceptable, and no clear justifications can be found. The variety of shape created by the different extensions makes the different phases of the house legible. Squaring and extending the first-floor will compromise this understanding. Considering that there is already a bathroom on the same floor, no clear and convincing justifications can be found to outweigh the harm. While the extensions to improve the current kitchen area and the 20th century garden room are considered acceptable, any further extension would change the historic planform and symmetry with the paired cottage too much.*
- *The first floor corridor extension will not only change the “L” shape planform of the building, but also lead to loss of historic fabric and create an incongruously shaped, flat roofed element to the external appearance of the listed building.*

As such, the proposal is contrary to policy ENV4 of the adopted Local Plan, and paragraphs 199, 202 and 206 of the NPPF. The change in the setting and appearance of the building, 2 Long Street, would not make a positive contribution to the significance of the building, contrary to paragraph 206 of the NPPF, and the proposal should not be considered favourably.

In assessment of the less than substantial harm to the significance of the heritage asset, there would be limited public benefit through the rearrangement of the dwelling to make it more accessible, but this benefit is not outweighed by the harm to the asset. Whilst the stairs are steep, like in many traditional buildings, the current house is liveable at present without the need for significant alterations and therefore its optimum viable use is possible in its current form. Therefore, it is not considered that the works are required to secure the optimum viable use of the building, with regards to paragraph 202 of the NPPF.

Impact on other heritage assets

The proposal is not considered to harm the nearby listed buildings of Cerne Abbas including 1 and 6 Long Street, 1 Long Street is on the opposite side of the highway, and 6 Long Street is adjacent to 4 Long Street. The proposal is single storey to the side elevation and to the rear of the building, therefore, the setting and significance is preserved of the nearby listed buildings, and the character and appearance of the Cerne Abbas Conservation Area, in accordance with policy ENV4 of the Local Plan.

Impact on amenity

The proposed first floor extensions are adjoining existing elevations that are not adjacent to the site boundary of the neighbouring semi-detached house, 4 Long Street. There are no proposed first floor side elevations windows as a result of the works, the extensions are well related-to the existing house and do not have an overbearing impact on the house or neighbouring properties.

The proposal would not lead to unacceptable levels of overshadowing onto neighbouring properties, have an overbearing impact or have overlooking or loss of privacy impacts, in accordance with policy ENV16.

Flood Risk

The site is located within Flood Zone 3 and high risk of surface water flooding, with the proposed development site also within Flood Zone 3. A flood risk assessment was submitted with a flood warning and evacuation plan and with flood resilience and resistance measures, and the measures are considered acceptable, and this would need to be conditioned.

Rights of Way

The proposal is within the vicinity of Public Footpath S13/30. However, the Rights of Way Officer and the Ramblers Association have not commented, and the proposed development should not affect the Public Rights of Way that is on the opposite side of the highway to the applicants' site.

Impact on landscape

The proposal is single storey to the side elevation adjoining an existing extension, and the rear extensions including the 1st floor extensions, have a lower ridge and eaves height to the existing roof, and the height and mass conserve the landscape and scenic beauty of the Dorset AONB.

15.0 Conclusion

The proposal would lead to less than substantial harm to the significance of the listed building and there are no public benefits that outweigh the harm. The harm is to the setting, historical fabric and character of the listed building. The proposal is contrary to policy ENV4 - Heritage assets of the adopted Local Plan, and paragraphs 199, 202 and 206 of the National Planning Policy Framework.

16.0 Recommendation REFUSE

1. The proposal enlarges the listed building and the extent and scale of the first floor extensions would fail to conserve or enhance the significance of the building. The listed building has already been altered and extended, and the external alterations to 2 Long Street would cause less than substantial harm to the character, original plan form, symmetry, setting and significance of the heritage asset, with no overriding public benefit. The proposal is contrary to Policy ENV4 of the adopted Local Plan, the National Planning Policy Framework paragraphs 199, 202 and 206 and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.