

<b>Application Number:</b>	P/HOU/2023/06349		
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>		
<b>Site address:</b>	10 Herrison Road Charlton Down DT2 9RJ		
<b>Proposal:</b>	Erect infill ground floor extension. Demolish conservatory and erect rear lean-to extension.		
<b>Applicant name:</b>	Mr & Mrs Williams		
<b>Case Officer:</b>	Jane Green		
<b>Ward Member(s):</b>	Cllr Taylor		
<b>Publicity expiry date:</b>	8 December 2023	<b>Officer site visit date:</b>	15 November 2023
<b>Decision due date:</b>	26 December 2023	<b>Ext(s) of time:</b>	
<b>No of Site Notices:</b>	One		
<b>SN displayed reasoning:</b>	On lamppost on footpath to the front of the property		

**1.0** The application is brought to committee as the applicant is a member of staff that has a direct involvement in the planning process (but not in relation to this particular application).

**2.0 Summary of recommendation:**

GRANT subject to conditions

**3.0 Reason for the recommendation:** as set out in paras 16 at end

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of extending a residential dwellinghouse is acceptable
Scale, design, and impact on visual amenity	Proportionate in scale and similar to other extensions in the area
Impact on neighbouring amenity	No significant impact to neighbouring properties due to scale and existing arrangement
Impact on heritage assets and character of area	Due to the position of the extension to the rear the proposal will not have a significant impact on the character of the conservation area.

#### 5.0 Description of Site

The property is a two-storey white painted dwellinghouse that forms part of a group of buildings 6-11 Herrison Road within the designated conservation area. The group are designated as an important local building given their history as staff cottages (for Herrison Hospital) and as such the dwelling is a non-designated heritage asset within a heritage asset. The group are located in a prominent position in the landscape when viewed on the approach to the village from the west.

The property occupies a long plot that rises to the rear with a terraced garden. There is open countryside beyond.

#### 6.0 Description of Development

The proposed development incorporates an infill ground floor element and the demolition of the existing conservatory and the erection of a replacement single storey lean-to extension, both at the rear of the property. The extension would measure approximately 4.5m deep by 4.3m wide and 3.9m high and is located close to the south boundary with the neighbouring property.

#### 7.0 Relevant Planning History

WD/D/16/002442 - Decision: GRA - Decision Date: 20/01/2017

Erect single storey extension & associated landscaping works

1/E/89/000579 - Decision: GRA - Decision Date: 22/08/1989

Erect 1st floor extension

P/PAP/2023/00401 - Decision: RES - Decision Date: 23/08/2023

Replace conservatory with single storey extension

## 8.0 List of Constraints

Application is within Charlton Down/Charminster Herrison conservation area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Charminster Conservation Area - Distance: 60.62

Important Local Buildings, Record Key = 2435 - Distance: 0

Landscape Chara; Chalk Valley and Downland; Cerne and Piddle Valleys and Chalk Downland - Distance: 0

Land of Local Landscape Importance; Land south east of Charlton Down - Distance: 0

Right of Way: Footpath S14/17; - Distance: 8.48

Higher Potential ecological network - Distance: 0

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

Scheduled Monument: Bowl barrow on Wood Hill 310m north east of Cowden (List Entry: 1019395.0); - Distance: 300.27

Groundwater Source Protection Zone - Distance: 0

## 9.0 Consultations

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

### Consultees

1. **DC - Rights of Way Officer** – No comments received at the time of writing this report
2. **Ward Member - Charminster St Marys Ward** – No comments received at the time of writing this report
3. **Charminster Parish Council** – No comments received at the time of writing this report

### Representations received

None

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

## 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 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 Policies**

#### **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
- ENV10 - The landscape and townscape setting
- ENV12 - The design and positioning of buildings
- ENV16 - Amenity
- ENV 13 - Achieving High Levels of Environmental Performance
- SUS2 - Distribution of Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 - Wildlife and Habitats
- ENV3 - Green Infrastructure Network
- ENV4 - Heritage assets
- HOUS6 - Other residential development outside DDB's

### **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 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 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**

Design: process and tools 01 October 2019 Guidance

Historic environment 23 July 2019 Guidance

### **Other Material Considerations**

Design & Sustainable Development Planning Guidelines (2009) adopted supplementary Planning Document February 2009

Policy (a) Work in harmony with the site and its surroundings

Policy (h) Maintain and enhance local character

Policy (i) Create high quality architecture

Charlton Down or Charminster Herrison Conservation Area Appraisal (adopted 2012)

Important Building Groups:

- Nos 6-11 Herrison Road – a prominent line of former staff cottages

## **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.

In this case there are no known protected characteristics in relation to the applicant or occupants of adjoining dwellings or relating to the nature of the development.

#### **14.0 Financial benefits**

None

#### **15.0 Environmental Implications**

In creating this new residential extension, it must meet current and emerging Building Regulations standards, which continue to be upgraded to require new developments to meet more onerous sustainable standards and techniques.

#### **16.0 Planning Assessment**

The application has been submitted following a pre-application submission earlier in the year.

##### Principle of development

The property is located outside of the defined settlement boundary. Therefore, policy HOUS6 is applicable. The preamble to this policy states that extensions to an existing dwelling should generally be no greater than 40% of the original dwelling. The policy states an extension should be subordinate in scale and proportions to the original dwelling and should not harm the character of the locality or its landscape setting. Officers consider that the additions would be subordinate to the main house. Additionally, the extensions would not give rise to harm to the landscape or the character of the locality. The proposal would comply with the requirements of policy HOUS6.

##### Impact on neighbouring amenity

The proposed extension is single storey (approx. 4.5m deep by 4.3m wide and 3.9m high) and located to the rear of the dwellinghouse and replaces an existing conservatory. The other part of the proposal infills an open space to the rear of the dwellinghouse.

The property is set in a long plot, that rises significantly at the rear of the property with a terraced rear garden. There is open countryside beyond.

Given the existing arrangement and the scale of the proposed extension it is considered it would not introduce a significant impact on the residential amenity of neighbouring properties. The development would comply with policy ENV16 of the Local Plan.

#### Scale, design and impact on visual amenity

The design of the single storey rear extension is acceptable in this case. It appears from the site visit that other properties in the street have had alterations to the rear and this proposal is not dissimilar in design, scale and proportions to other properties.

Materials are stated on the application form as painted render for the walls and slates for the roof. A condition to ensure they match the existing property is considered reasonable. This would accord with policies ENV10 and ENV12 of the Local Plan, which require development to be appropriate in its setting, and to reflect the areas prevailing design and materials. Although it is noted that due to the position to the rear of the property, the proposal would not be visible from public viewpoints.

#### Impact on heritage assets and character of the area

The property is designated as an important local building within the group of buildings 6-11 Herrison Road, in the designated conservation area. As such the dwelling is a non-designated heritage asset within the designated Conservation Area.

Section 72 of the Planning (Conservation Area and Listed Buildings) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The properties are highly prominent and contribute to the Conservation Area's southern gateway. The proposal is for a single storey extension to replace an existing conservatory which will not be visible from the public realm and therefore the impact on the character of the conservation area is considered acceptable and no harm would result. The proposal is considered to be in accordance with policy ENV4 of the Local Plan.

#### Impact on protected species

The Council has a legal duty to conserve and enhance biodiversity. It is unlikely that the proposal will result in harm to protected species given the proposal in relation to the information given in the submitted biodiversity checklist, however a condition to ensure opportunities to promote biodiversity are secured is included as per para 180 of the NPPF (2021).

#### Other matters

The proposal will have no significant impact on the public right of way, footpath S14/17 which is located to the front of the property.



## 17.0 Conclusion

This proposal is judged to comply with the policies as listed above. There are no material considerations that indicate that the decision should be taken other than in accordance with the provisions of the development plan.

## 18.0 Recommendation

**GRANT** of 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 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:  
2023/19/02 Proposed Elevations/Floor/Block Plans

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

3. The external materials to be used for the walls and roof shall be similar in colour and texture to the existing building.

Reason: To ensure a satisfactory visual appearance of the development.

4. Details of 1. number of bat/bird box shall be submitted to and agreed in writing by the Local Planning Authority which shall be erected in accordance with the agreed details prior to first occupation or use of the development hereby approved. The bat/bird box shall be retained thereafter.

Reason: To enhance or protect biodiversity.

### Informative Notes:

1. The net gain biodiversity measures required by condition 4 should accord with best practice guidance published on the Council's website [https://www.dorsetcouncil.gov.uk/w/species-and-habitat-advice-notes-and-guidance-sheets?p\\_l\\_back\\_url=%2Fsearch%3Fq%3Dspecies%2Band%2Badvice%2Bsheets](https://www.dorsetcouncil.gov.uk/w/species-and-habitat-advice-notes-and-guidance-sheets?p_l_back_url=%2Fsearch%3Fq%3Dspecies%2Band%2Badvice%2Bsheets)
2. 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 was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.