

Application Number:	P/FUL/2023/07302
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	4 & 5 Bedford Terrace Long Bredy DT2 9HW
Proposal:	Demolition of existing rear extensions, erection of ground and first floor rear extensions. Erection and relocation of ancillary buildings. Other internal and external works and addition of modern low energy services.
Applicant name:	L Dyke & R Piggot & R Grove & J Pilbeam
Case Officer:	Jane Green
Ward Member(s):	Cllr Roberts

1.0 The application is referred to committee as one of the applicants is employed by Dorset Council in the development management service (planning department).

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation:

- 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.
- The less than substantial harm to heritage assets is outweighed by the public benefits.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Extension and alterations are acceptable in principle.
Scale, design, impact on character and appearance	The proposal is of a subservient scale and proportions to the main dwelling and the appearance is in keeping.
Impact on the living conditions of the occupants and neighbouring properties	The design, scale and fenestration does not introduce demonstrable harm in terms of impact on residential amenity.

Impact on heritage assets	The proposed alterations result in less than substantial harm to the heritage assets and the public benefits outweigh the harm.
Flood risk and drainage	High risk of surface water flooding is made no worse than currently exists.
Highway impacts, safety, access and parking	No significant concerns for parking or highway safety with the proposal.
Impact on trees	No significant issues.

5.0 Description of Site

4 and 5 Bedford Terrace form two of a group of attached former estate cottages belonging to the Duke of Bedford Estate. They are Grade II listed and have individual and group value with the other six properties. The cottages were built in 1865 and lie within the heart of Long Bredy Conservation Area, which is a small rural village characterised by a collection of predominantly old properties set back from the road and fronted by trees, hedgerows/low boundary walls. A brook runs alongside the main road to the west. The village is otherwise surrounded by open farmland and is within the Dorset National Landscape (AONB).

6.0 Description of Development

The proposal seeks planning permission for the demolition of the existing rear extensions and the erection of a two-storey extension and single storey rear extensions. The erection and relocation of ancillary outbuildings are proposed as are the installation of air source heat pumps and the installation of photovoltaic panels.

7.0 Relevant Planning History

1/E/92/000585 - Decision: GRA - Decision Date: 07/12/1992

Take down porch, rebuild porch & make external & internal alterations.

1/W/04/001904 - Decision: REF - Decision Date: 07/12/2004

Erect rear two storey extension and lean-to.

1/W/04/001905 - Decision: REF - Decision Date: 07/12/2004

Erect rear two storey extension and lean-to. Install 2No new windows to rear elevation. Replace 1No window in front elevation.

1/W/05/000006 - Decision: GRA - Decision Date: 06/04/2005

Erect rear two storey extension and lean-to. Replace 1No window in front elevation (Amended scheme to 1/W/04/001904).

1/W/05/000204 - Decision: GRA - Decision Date: 06/04/2005

Alternative scheme to P.A. 1/W/2004/001905 (erect rear two storey extension and lean-to. Install 2No new windows to rear elevation. Replace 1No window in front elevation)

P/LBC/2022/02381 – Decision GRA - Decision Date: 12/08/2022

Carry out internal and external alterations. External alterations include the carrying out of pointing, the refurbishing of windows and the installation of a new extractor fan. Internal alterations include the installation of: Secondary glazing; a new floor slab with drainage below; a new boiler; insulation; a services cavity; a stove box following the removal of a fireplace surround; wiring; a nib; draft proofing between joists; partitions; plumbing and drainage and wardrobes. Internal alterations also include the removal of a cupboard, the repair of ceilings and the relocation of a ceiling hatch.

This application related to internal listed building works to 4 Bedford Terrace

P/PAP/2023/00015 - Decision: RES - Decision Date: 12/07/2023

Refurbish and extend neighbouring listed properties

This pre-application enquiry sought advice on the extension of both properties and other external and internal works with general advice given.

8.0 List of Constraints

Grade: II Listed Buildings: 3, 4, 5 AND 6 List Entry: 1304788.0;

Application is within Long Bredy Conservation Area

National Landscape (Area of Outstanding Natural Beauty); Dorset - Distance: 0

Risk of Surface Water Flooding Extent 1 in 30 - Distance: 0

Risk of Surface Water Flooding Extent 1 in 100 - Distance: 0

Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 4927.63

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

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

Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB)

9.0 Consultations

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

Consultees

1. **DC - Conservation Officer** – Support amended plans subject to conditions.
2. **Chesil Bank Ward Member**– No comments received.
3. **Long Bredy Parish Council** – No comments received.
4. **Dorset Wildlife Trust** – No comments received.
5. **DC - Highways** – No objection subject to conditions relating to turning/manoeuvring and parking and construction of carport.
7. **DC - Environmental Protection** – Original concerns have been addressed by the submission of a noise assessment for each property indicating noise should not be an issue. However, Environmental Health have a legal duty to investigate any complaints received about alleged noise nuisance and also to serve an abatement notice if evidence found of a statutory nuisance.
8. **DC - Trees** – No objection, condition suggested.

Representations received - None.

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 grant 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 (2015) (referred to as Local Plan herein)

ENV1 - Landscape, seascape & sites of other geological interest

ENV2 - Wildlife and Habitats

ENV4 - Heritage assets

ENV5 Flood Risk

ENV10 - The landscape and townscape setting

ENV12 - The design and positioning of buildings

ENV13 - Achieving High Levels of Environmental Performance

ENV16 - Amenity

COM7 – Creating a safe & efficient transport network

INT1 - Presumption in favour of Sustainable Development

SUS2 - Distribution of Development

HOUS6 – Other residential development outside defined development boundaries

Material Considerations

Emerging Local Plans:

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 relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making. However, the production of the Draft Local Plan has significant implications for the assessment of housing land supply.

The emerging Local Plan has reached Regulation 18 of the (Town and Country Planning (Local Planning) (England) Regulations 2012 stage and includes a policies

map and proposed allocations towards meeting housing need. Therefore, as detailed under Paragraph 226 of the NPPF (December 2023), for decision-making purposes only, the Council is only required to identify a minimum of 4 years' worth of deliverable housing sites.

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:

16. Conserving and enhancing the historic environment

Other material considerations

West Dorset District Council Design and Sustainable Development Planning Guidelines Adopted February 2009

Long Bredy, Portesham, Chickerell, Abbotsbury & Langton Herring Conservation Area Appraisal Parts 1 and 2 Adopted December 2007

Several references made throughout the appraisal to the group of listed buildings that form 1-10 Bedford Terrace and their importance to the character of the village being a strong presence in the centre and their historical value being associated with the Duke of Bedford Estate.

Dorset AONB Landscape Character Assessment
Dorset AONB Management Plan 2019-2024

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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. This proposal is not considered to impact upon persons with protected characteristics.

14.0 Financial benefits

The construction phase of the development would provide employment.

15.0 Environmental Implications

The proposal will contribute to additional CO2 emissions from the construction materials and build stage. There are however proposals to reduce energy consumption and carbon emissions proposed such as air source heat pumps and photovoltaic panels which demonstrates that climate change and sustainability has been taken into consideration.

16.0 Planning Assessment

Principle of development

The principle of extending a residential dwellinghouse located outside the defined development boundaries is acceptable providing that the extension is subordinate in scale and proportions to the original dwelling and does not harm the character of the locality or its landscape setting in accordance with Policies SUS2 and HOUS6 of the Local Plan.

Scale, design, impact on character and appearance

The extension is subservient in scale in relation to both properties and it would appear in keeping and relate positively when read against the host properties and neighbouring properties. Furthermore, the proposed building’s scale, mass and position are considered to reflect the purpose for which the building is proposed, and the design of the building is considered to be acceptable. The plans and application form are not explicit when discussing the proposed materials and as such a condition is considered necessary given the sensitivity of the buildings and their setting. Overall, the development is considered to accord with Policies ENV10 and ENV12 of the Local Plan.

It is considered that the scale and proportion of the extensions would not overpower and would relate positively to the existing dwelling. Furthermore, the proposed

extension's scale, mass and position are considered to reflect the purpose for which the extension is proposed, and the design of the building is considered to be acceptable as a whole, and the design is in accordance with Local Plan Policy ENV12

Local Plan Policy ENV1 sets out that development should be located and designed so that it does not detract from, and where reasonable enhances the local landscape character. Given the context of the existing residential properties it is not considered the proposals will detract from the character and natural beauty of the protected Dorset National Landscape. Given the nature of the proposals in the context of householder development to existing dwellings and their gardens it is considered that the opportunity does not exist to further the purpose of conserving and enhancing the natural beauty of the Dorset National Landscape, but nor would the proposals be of detriment to the wider landscape.

Impact on residential amenity

The proposed extension due to its scale, mass and position is not considered to be detrimental to residential amenity of neighbouring properties. The window layout will not introduce any new overlooking issues.

During the course of the application the air source heat pumps have been relocated to a position behind the privy buildings. The application has also been supported by a noise assessment as requested by the Council's Environmental Protection team. They comment that they are satisfied there would be no noise issue but advise they would have a legal obligation to investigate any noise nuisance complaints if received once the units are operating.

Impact on heritage assets

The application buildings form part of a group of former estate cottages that are Grade II listed. They have individual and group value with the other six properties and lie within the heart of Long Bredy Conservation Area and contribute positively to its character and appearance.

NPPF para. 205 requires that 'great weight' be given to the conservation of designated heritage assets and the more important the asset, the greater the weight should be. In addition, para. 206 requires any level of harm to their significance should require 'clear and convincing justification'. The application is supported by a comprehensive Heritage Statement.

The extension and much of the alterations and other development are at the rear of the property and therefore the impact on the conservation area is not significant. Much of the terrace's character is derived from their rectangular building plot and planned layout with front gardens set back from the road. There will be no change to this form and character.

In respect of the alterations to the actual listed properties it is considered that there will be less than substantial harm of a medium scale to the original character with the

proposed works, but the works will also benefit the character of the building by removing modern structures at the rear which have no historic or architectural significance. Further, both end houses of the terrace have been extended. The extension of both the properties together as one continuous operation is welcomed and will be an enhancement to what currently exists at the rear of the property.

The Conservation Officer was consulted at pre-application stage and during the course of the application. Comments received were generally positive with issues raised with regards to the proposed fenestration. As such the applicants amended the submitted plans to remove proposed triple glazing and a modern bi-fold style door to be replaced with double glazing timber framed windows and timber framed patio doors instead.

Internally the proposed alterations will be limited and at ground floor these are mainly works to insulate the walls and floor. Two insulation methods have been proposed for the insulation and the adhered option is not acceptable and for certainty a condition is imposed to clarify the preferred battened system with sheep's wool and lath and plaster finish to be used. The internal works fall to be considered as part of the listed building application and can be conditioned accordingly.

Externally the proposal will see air source heat pumps to be installed, both to the rear of the existing privies of the properties which will be discreet in relation to the setting of the listed buildings. Solar panels are to be installed on the new extension south facing roof slope and on outbuildings which is acceptable and will have no impact on views in and out of the Conservation area and do not impact on the setting of the listed buildings. The car port to serve number 5 and other outbuildings proposed are considered acceptable and the consolidation of outbuildings is considered positive for the setting of the listed buildings.

In considering the overall development and its impact on the listed buildings it is considered that it would have less than substantial harm which is outweighed by public benefit. If left without restoration and renovation there may be long term concern for their viable residential use in respect of requirements for modern day living standards. The public benefit of providing modern day living improvements to the properties, which would contribute towards their functioning as ongoing viable residential units into the future, coupled with the consolidation of outbuildings would, on balance, outweigh the less than substantial harm that the works would cause to the significance of the listed buildings.

The proposed works to the heritage assets are considered to have no harm to the character and appearance of the conservation area as they are all to the rear of the properties and are out of public view with no intervisibility from/to the wider conservation area.

Overall, in considering the impact on the significance of the heritage assets the proposal is considered acceptable in heritage impact terms and in accordance with Local Plan Policy ENV4.

Flood risk and drainage

The highway to the front of the property is subject to known high risk of surface water flooding. This includes to the existing access for the site, which is not favourable, but the proposal will not make the situation any worse. There is also the same risk of surface water flooding to the rear of the properties where the extension is proposed. The submitted flood risk assessment advises the proposed rear extension will be the same finished floor level as the existing cottages and to improve the surface water arrangement a soakaway is proposed in both properties.

Whilst it is considered further resistance and resilience measures to address the high risk of surface water flooding within the site would be preferred there is no requirement to follow the Environment Agency's standing advice with regards to such measures when the proposal is solely for a household extension in flood zone 1.

Impact on highway safety

There are no significant concerns in terms of impact on highway safety. The Highways Authority suggest conditions in relation to turning/manoeuvring and parking construction and the construction of the carport and these have been re-worded to meet the planning condition tests. The development is considered acceptable when assessed against Local Plan Policy COM7.

Trees

The application has been supported by the submission of comprehensive Arboricultural Impact Assessments (AIAs) and Tree Protection Plans for both properties. Tree constraints at both properties are minor and are clearly identified and negated within the supplied AIAs. Given the site is within the designated conservation area all trees associated with the application properties and neighbouring properties are afforded protection under the Town and Country Planning Act (Tree) 2012. The loss of the lower value trees is considered acceptable, and it is reasonable to condition the AIAs submitted to ensure the protection of those trees remaining. As such the development accords with Policies ENV2 and ENV10 of the local plan.

Biodiversity

There is evidence of bats at the site and therefore as alterations to the roof are proposed a biodiversity mitigation plan has been submitted and has been certified as acceptable by the natural environment team. The plan provides sufficient mitigation and includes a timetable for the development and as such it is proposed that it be conditioned that the development is carried out in accordance with it. As such the development accords with Policy ENV2 of the local plan.

17.0 Conclusion

The proposal is in accordance with policies within the West Dorset, Weymouth & Portland Local Plan (2015) and guidance within the National Planning Policy Framework (2023). There are no other material planning considerations indicating a

different decision should be taken and this application is considered to be acceptable in planning terms and is recommended for approval.

18.0 Recommendation

GRANT planning permission subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

2301_s_e-4000 - Location plan

2301-s_p-1001 B Proposed Ground floor plans

2301-s_p-1002 A Proposed First Floor plans

2301-s_p-1003 - Proposed Roof plans

2301-s_p-2001 - Proposed Front Elevations

2301-s_p-2002 A Proposed Rear Elevations

2301-s_p-2003 - Proposed Side Elevations

2301-s_p-2004 - 4 Bedford Terrace Proposed Outbuilding

2301-s_p-2005 - 5 Bedford Terrace Proposed Outbuilding

2301-s_p-2006 - 5 Bedford Terrace Proposed Car port

2301-s_p-3001 A Proposed Cross section

2301-s_p-4001 - Proposed Site plan

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

2. 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).

3. Prior to development above damp proof course level, details (including colour photographs) of all external facing materials for the wall(s) and roof(s) shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

4. Prior to the commencement of any development hereby approved, above damp course level, details of proposed flood mitigation measures as included in the Flood Risk Assessment dated 18 December 2023 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: In order to safeguard the accommodation from unnecessary flood risk.

5. The development hereby approved shall proceed only in accordance with the details set out in both the Arboricultural Impact Assessment and Tree

Protection Plans dated 31 May 2023 for 4 Bedford Terrace and 05 June 2023 for 5 Bedford Terrace, setting out how the existing trees are to be protected and managed before, during and after development.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

6. Before the development hereby approved is occupied or utilised for number 4 Bedford Terrace the turning/manoeuvring and parking shown on Drawing Number 2301_s_p-4001 must have been constructed for number 4 Bedford Terrace. 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.

7. Before the development hereby approved is occupied or utilised for number 5 Bedford Terrace the turning/manoeuvring and parking shown on Drawing Number 2301_s_p-4001 for must have been constructed for number 5 Bedford Terrace 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no alteration(s) of the car port by infilling of the elevations, to serve 5 Bedford Terrace hereby approved, permitted by Class E of Schedule 2 Part 1 of the 2015 Order, shall be made.

Reason: To ensure that satisfactory on-site parking is provided in a form that allows a vehicle to freely turn within the site curtilage.

9. Within 3 months of the new outbuilding labelled "5" for 4 Bedford Terrace on Drawing no. 2301_s_p-4001 having been erected, the existing outbuilding labelled "3" on the site plan at 4 Bedford Terraced shall be demolished and removed from the site.

Reason: In the interests of visual amenity and the setting of the listed building.

10. Within 3 months of the new outbuilding labelled "5" at the eastern end of the garden of 5 Bedford Terrace on Drawing no. 2301_s_p-4001 having been erected, the existing outbuildings labelled "3" on the site plan at 5 Bedford Terraces shall be demolished and removed from the site.

Reason: In the interests of visual amenity and the setting of the listed building.

11. The Biodiversity Mitigation Plan (BMP) dated 09 January 2024 shall be implemented in full and the development carried out in accordance with the specified timetable(s) in the BMP.

Reason: To minimise impacts on biodiversity.

Informative Notes:

1. The applicant is reminded of their responsibility to submit photographic evidence of compliance with the Biodiversity Plan or LEMP to Dorset Natural Environment Team in order to comply fully with requirements of condition 11.

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/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.