



Eastern Area Planning Committee

Date: Wednesday, 13 September 2023
Time: 10.00 am
Venue: The Allendale Centre, Hanham Road, Wimborne, Dorset, BH21 1AS

Members (Quorum 6)

Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Mike Barron, Alex Brenton, Robin Cook, Mike Dyer, Barry Goringe, David Morgan, Julie Robinson, David Tooke, Bill Trite and John Worth

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services
Meeting Contact megan.r.rochester@dorsetcouncil.gov.uk

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Agenda

Item		Pages
1.	APOLOGIES	
	To receive any apologies for absence	
2.	DECLARATIONS OF INTEREST	
	To disclose any pecuniary, other registrable or personal interest as set out in the adopted Code of Conduct. In making their decision councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	
	If required, further advice should be sought from the Monitoring Officer in advance of the meeting.	
3.	MINUTES	5 - 8

To confirm the minutes of the meeting held on Wednesday 2nd August 2023.

4. **REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS**

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee. [Guide to Public Speaking at Planning Committee](#)

The deadline for notifying a request to speak is 8.30am on Monday 11th September.

5. **PLANNING APPLICATIONS**

To consider the applications listed below for planning permission

6. **P/FUL/2022/04653- PIER VIEW FLATS, SEYMER ROAD, SWANAGE, BH19 2AQ** 9 - 28

Bin store within the curtilage of Royal Victoria & Pier View Apartments.

7. **P/LBC/2022/05648- PIER VIEW FLATS, SEYMER ROAD, SWANAGE, BH19 2AQ** 29 - 44

Bin store within the curtilage of Royal Victoria & Pier View Apartments.

8. **P/HOU/2022/06153- 10 COURT ROAD, SWANAGE, BH19 1JE** 45 - 58

Two storey rear extension with dormer window and internal alterations.

9. **P/FUL/2023/02398- HILLSIDE FIRST SCHOOL, HILLSIDE ROAD, VERWOOD, BH31 6HE** 59 - 68

Installation of an air source heat pump and erection of 3m high acoustic barrier.

10. **P/FUL/2023/02868- ST JOHNS CE VC FIRST SCHOOL, ST JOHNS HILL, WIMBORNE MINSTER, BH21 1BX** 69 - 80

St Johns CE VC First School St Johns Hill Wimborne Minster BH21 1BX.

11. **P/ADV/2023/02384- HOLTON HEATH GARAGE, WAREHAM ROAD, HOLTON HEATH, BH16 6JW** 81 - 92

Erection of new Totem Sign to front of existing forecourt.

12. **URGENT ITEMS**

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972
The reason for the urgency shall be recorded in the minutes.

13. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended). The public and the press will be asked to leave the meeting whilst the item of business is considered.

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EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 2 AUGUST 2023

Present: Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Mike Barron, Alex Brenton, Robin Cook, Mike Dyer, David Morgan, David Tooke and Bill Trite

Apologies: Cllrs Barry Goringe, Julie Robinson and John Worth

Officers present (for all or part of the meeting):

Elizabeth Adams (Development Management Team Leader), Lara Aintree (Senior Lawyer - Regulatory), Kim Cowell (Development Management Area Manager (East)), Joshua Kennedy (Apprentice Democratic Services Officer), Fiona McDonnell (Senior Planning Officer) and Megan Rochester (Democratic Services Officer)

4. **Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

5. **Minutes**

The minutes of the meeting held on Wednesday 5th July were confirmed and signed.

6. **Public Speaking**

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

7. **Planning Applications**

Members considered written reports submitted on planning applications as set out below.

8. **P/FUL/2023/00735- 17 King Street, Wimborne Minster, Dorset, BH21 1DZ**

It was requested by the applicant, that the application P/FUL/2023/00735 be withdrawn.

9. **P/VOC/2023/02149- Ailwood Cottage, Ailwood To Tabbits Hill, Corfe Castle, BH20 5JA**

With the aid of a visual presentation including plans and aerial photographs, the presenting Officer identified the site and explained the proposal and relevant

planning policies to members. Photographs of the site location, listed buildings, proposed floorplans, and existing elevations were included. Members were also provided with details of the history of the site as well as the existing use and were informed that it was within the AONB and that there had been no identified harm to the character of the area. The presenting Officer discussed heritage assets and highlighted to members that there had been no objections from highways. On balance, officers judged that the harm did not outweigh the benefits and the recommendation was for approval, subject to conditions set out in the officer's report.

Public Participation

The agent spoke in support of the proposal. The agent highlighted to members that there had been no objections from the Parish Council. He explained the proposal to members and discussed the history and amenities of the site. The agent assured members that the applicant had been transparent and explained the use of the building over the last 10 years. He considered that the proposal caused no material harm to the listed building and did not feel as though it was within an unsustainable location. The agent thanked members for their time.

Members questions and comments

- Confirmation as to whether the proposal was an existing dwelling or additional.
- Members requested further information on what the original condition achieved.
- Clarification that officers had been in consultation with neighbours.
- Confirmation on the extent of the residential curtilage and use of an outbuilding on site.
- Members thanked the officer for a comprehensive report.
- Members referred to comments of concern made by the Local Ward Member.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Robin Cook, and seconded by Cllr Shane Bartlett.

Decision: To grant the officer's recommendation for approval subject to conditions set out in the officer's report.

10. **P/FUL/2023/01702- land at Sherford Drive, Wareham, BH20 4EN**

With the aid of a visual presentation including plans and aerial photographs, the presenting Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the site location and proposed elevations were included. The presenting Officer highlighted to members that additional planting would be included to mitigate visual impacts. On balance, the benefits outweighed the harm and there had been no objections from the Town

Council. The recommendation was for approval subject to conditions set out in the officer's report and the proposed additional condition (no 6).

Public Participation

There were no public speakers.

Members questions and comments

- Members felt that there was sufficient space on the site to accommodate the proposed cabin and fencing.
- Confirmation as to whether measures were in place regarding security.
- Clarification regarding access by vehicles.
- Noise mitigation
- Members agreed that planting was necessary to mitigate impacts on the street scene.
- Members praised the officer's report and presentation.
- Clarification on neighbourhood plan policy and lack of objection from the Local Town Council.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to delegate the **GRANT** planning permission to officers, subject to

1. the expiry date of local publicity advising that the proposed development does not accord with the provisions of Policy GS1 of the made Wareham Neighbourhood Plan (Development Plan), and subject to no representations being received that raise new material planning considerations and are contrary to the recommendation of approval.
2. to conditions set out in the officers report and the additional condition 6.

Decision: To delegate the **GRANT** planning permission to officers subject to

- 1.the expiry date of local publicity advising that the proposed development does not accord with the provisions of Policy GS1 of the made Wareham Neighbourhood Plan (Development Plan), and subject to no representations being received that raise new material planning considerations and are contrary to the recommendation of approval.
2. to conditions set out in the officers report and the additional condition 6.

6. No equipment, materials, machinery, or vehicles shall be stored, placed, or parked in any area to the south of the proposed compound, nor shall any excavation be made within this area, without the written consent of the Local Planning Authority.

Reason: To ensure that trees are afforded adequate physical protection during construction.

11. **Urgent items**

There were no urgent items.

12. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 10.00 - 10.46 am

Chairman

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Agenda Item 6

Eastern Area Planning Committee
13 September 2023

Application Number:	P/FUL/2022/04653		
Webpage:	Planning application: P/FUL/2022/04653 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Pier View Flats, Seymer Road, Swanage, BH19 2AQ		
Proposal:	Bin store within the curtilage of Royal Victoria & Pier View Apartments		
Applicant name:	Mr R Loyd		
Case Officer:	Cari Wooldridge		
Ward Member(s):	Cllr Suttle and Cllr Trite		
Publicity expiry date:	5 July 2023	Officer site visit date:	03/11/2022
Decision due date:	16 June 2023	Ext(s) of time:	16 June 2023

1.0 The Nominated Officer has identified this application to come before the Planning Committee as the officer recommendation of approval is contrary to objections received from Swanage Town Council and Swanage Ward Members.

2.0 Summary of recommendation:

The committee be minded to GRANT planning permission subject to conditions as set out in Section 18 of this report.

3.0 Reason for the recommendation: as set out in paras 16 – 17 of this report and summarised as follows:

- Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.
- Paragraph 11 of the National Planning Policy Framework (NPPF) sets out that decisions should apply a presumption in favour of sustainable development where it accords with an up-to-date development plan.
- On balance, the scale, design, and impact of the development - although functional – is acceptable and would not result in significant harm to the general character and appearance of the area.
- On balance, the public benefit provided by way of the new bin store provision would outweigh the less than substantial harm caused to the Grade II listed buildings and their setting, associated Peter's Hole, and also the character and appearance of Swanage Conservation Area.

- When taking into consideration existing mutual overlooking and loss of privacy, temporary periods of proposed use, and alternative bin storage within the courtyard - the proposed scheme would not on balance, result in any significant harm to neighbouring residential amenity.
- Despite a remaining deficit in bin capacity, the proposed bin store would achieve a betterment compared to the existing bin storage situation
- The proposal is acceptable in respect of impacts on parking, highway safety, public rights of way, flood risk and drainage, and the Dorset AONB.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable.
Scale, design, and impact on the character and appearance of the area	On balance acceptable subject to conditions.
Impact on heritage assets	On balance acceptable subject to conditions.
Impact on neighbouring amenity	On balance acceptable subject to conditions.
Bin storage capacity	A betterment compared to the existing situation. On balance acceptable subject to conditions.
Other considerations	Acceptable subject to conditions.

5.0 Description of Site

- 5.1 The application site lies within the shared garden and parking court of the Grade II Listed former Royal Victoria Hotel and Grade II Listed Pier View Apartments. The garden is enclosed on all sides by buildings and Purbeck Stone boundary walls. It includes areas of lawn, planting, several small storage outbuildings, and a greenhouse. Due to the hillside setting, the garden slopes gently upwards from north to south, with the tall southern boundary wall also serving as a retaining wall to the higher-level parking court to the south. The garden is overlooked by the flats it serves and the dwelling of Peter's Hole to the west and is currently accessed by steps and a pedestrian gate in its southeast corner.
- 5.2 The parking court to the south of the garden is set at a higher level and is accessed from the east off Seymer Road and from the west off Marshall Road. Areas of the parking court are within separate ownership and provide access to parking and garage provision serving the residents of Hardy Court. An existing flat roof bin store that is located directly to the southeast of Peter's Hole serves the Royal Victoria and Pier View flat residents is accessed by steps extending from the parking court.
- 5.3 The site is located within the settlement boundary, the curtilage and setting of Grade II Listed buildings, Swanage Conservation Area, and Dorset AONB.

6.0 Description of Development

- 6.1 The proposal is for the construction of a new bin store within the curtilage of Royal Victoria and Pier View Apartments in Swanage.

- 6.2 It is proposed to remove the roof and raise the floor level of the existing bin store to the adjacent parking court level to enable direct and level access by residents and waste collection teams to the new bin store.
- 6.3 Raised beds will be provide planting to reduce direct overlooking of Peter's Hole (residential dwelling to the west) and to provide screening of the new bin store from windows serving Peter's Hole. The new bin store will be constructed to the adjoin the eastern boundary of the existing store and will be sited within the garden area serving the apartments.
- 6.4 The new bin store will retain the existing access from the car park and will extend east and northwards into the Pier View garden (9.2m in length by 3.6m in depth) to enable large bin provision that will meet a wider range of residents' waste and recycling requirements. Access to the bin store by residents will also be retained by way of new steps to be provided from within the Pier View garden. Provision of in-wall planting boxes are proposed to provide visual enhancement and screening of the new bin store use.

7.0 Relevant Planning History

- 7.1 P/PAP/2021/00488 - Recycle bin store, remove roof, raise floor, and enclose walls and gates.

Summary of response to original plans - Officers are unable to support the proposed bin store alterations and extensions due to the harmful impact on the setting of Grade II Listed Buildings and Swanage Conservation Area. Officers have considered other potential options which appear to be limited. You may wish to consider alternative proposals and obtain further pre-application advice prior to the submission of any applications.

Summary of response to amended plans - Pleased to see a change in location for the bin store in a size that responds to the resident's waste needs. In principle there is no objection to the proposed location from a heritage perspective. Full cross-section/elevation details should be provided at application stage. The design should be subservient with materials that are in keeping to the surrounding historic environment, and the continuation of the Cock-and-Hen capping stones is recommended.

Concerns regarding the removal of the roof to the existing bin store due to the potential impact on neighbourhood amenity. Although this is a planning consideration, Environmental Protection may have to be consulted for noise and odour due to the close proximity of a dwelling. To overcome any potential issues, could the existing walls be extended a course or two, and a retractable roof employed? Due to the close proximity of a tree to the proposed bin store, information on tree protection measures along with the confirmation that nothing will be stored that could impact the root protection area during construction will be required at application stage.

8.0 List of Constraints

Pier View Flats - Listed Building Grade II, Royal Victoria Hotel - Listed Building Grade II , Osborne House – Listed Building Grade II , The Rookery – Listed Building Grade II

Application site is within Swanage Conservation Area

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

Neighbourhood Area; Name: Swanage; Status Designated 22/02/2022

Right of Way: Footpath SE3/89; Footpath SE3/29; Bridleway SE3/27;

Risk of Surface Water Flooding Extent 1 in 100 – to front of site on High Street

Risk of Surface Water Flooding Extent 1 in 1000 – to front of site on High Street and adjacent to rear elevation of apartments

Areas Susceptible to Groundwater Flooding; Clearwater and Superficial Deposits Flooding; $\geq 25\%$ $< 50\%$

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

Site of Special Scientific Interest (SSSI) impact risk zone and (400m buffer): South Dorset Coast

Flood Zone 3 - to front of site on High Street, Flood Zone 2 - to front of site on High Street

Minerals and Waste - Waste Consultation Area

9.0 Consultations

The application was advertised by means of site notices and advertisements.

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

Consultees

1. Dorset Council – Highways:

No objection to original plans (comment received 03/11/22).

No further comment on amended plans (comment received 31/05/23).

2. Dorset Council - Dorset Waste Team (comments on amended plans received 31/05/23):

Unable to support.

Records show 35 properties use the bin storage area.

New layout will not accommodate capacity of bins for required properties.

3. Dorset Council - Conservation Officer:

Comments on original plans (received 29/12/22):

Will cause less than substantial harm to the setting of the grade II listed former Royal Victoria Hotel and Pier View Apartments.

Nearly 40 residential units use this bin store which is not fit for purpose.

High risk that large number of bins and refuse waste will litter the car parking area to the rear causing harm to the setting of the surrounding listed buildings and the character and appearance of the Conservation Area.

The public benefit through the construction of the store would outweigh the level of harm caused.

No heritage objection to the proposal subject to conditions.

Concerns raised over the amenity and increased odour/noise to Peters Hollow are for Planning Officer to consider. However, changes to the design are recommended.

Comments on amended plans (received 15/03/23):

Now proposing to build an inner wall to the original bin store to screen the site from Peter's Hollow.

The design does not sit comfortably overall, and it is recommended that the stone and render internal wall is replaced with timber.

No objection to the widening of the wall subject to condition for the proposed gate.

4. Dorset Council – Environmental Protection:

No objection.

5. Dorset Council - Rights of Way Officer:

No objection to original and amended plans.

Public right of way Footpath SE3/29 goes through the development area and must always be maintained and unobstructed.

6. Swanage Town Council (comments on original and amended plans received 24/11/22, 09/03/23 & 13/06/23):

Object with major concerns.

Open store not environmentally appropriate in this location and wholly inappropriate and unhygienic. The floor of the proposed store will be raised up, with larger waste bins open and exposed, which could potentially attract other waste/ rubbish from surrounding properties/businesses/passers-by, small pests/vermin, and increase odour nuisance, which would be exacerbated in the warmer summer months.

Overlooking/loss of privacy/adverse impact on neighbour amenity of adjacent property.

Adverse impact on Listed Building and Conservation Area setting. More suitable areas are available.

Request that application referred to planning committee.

Minor amendments do nothing to mitigate the Council's original concerns.

7. Swanage Ward – Cllr Trite (comments on original plans):

Endorse views of objection of Town Council and Mr Joy.

Proposal is a health hazard which will adversely impact neighbouring residents' amenity.

Stench / vermin.

Overlooking of nearby windows.

Anti-social disposal of litter and dog excrement of passers-by.

Increase in height and loss of light to Peter's Hole.

Request referral to Planning Committee.

8. Swanage Ward – Cllr Suttle (comments on original plans):

Support Cllr Trite's email.

Formally request referral to Planning Committee on grounds of health, nuisance, proximity to the residence, light due to the new structure.

Representations received

Total - Objections	Total - No Objections	Total - Comments
2	6	0

Summary of comments of support to original and amended plans:

Will ensure compliance with Dorset Waste's revised Health and Safety guidelines by enabling street level loading of bins.

Appear to be best possible outcome.

Will have minimal impact on the surrounding car spaces and communal gardens and the overall look of the buildings will not be hugely changed.

Improvement on current provision which is cramped and unhygienic.

Summary of comments of objection to original and amended plans:

Easy access by vermin.

Easy access by passers-by to throw rubbish in.

Smell will worsen due to loss of roof.

Loss of amenity to residents of Hardy Court with unnecessary eyesore of rubbish bins.

Simplest and cheaper option to install lift.

Inappropriate within Conservation Area.

Substantial loss of privacy to occupiers of Peter's Hole through random frequent overlooking of bedroom, living room and garden by users of the open bin store.

Screen planting cannot mitigate this.

Should only be used for waste collection and not general access to apartment users.

Noise from closing of bins and use of access gate.

Adverse impact on Conservation Area and substantial harm to the setting of 'listed by association' Peter's Hole which is more severe than impact on listed Royal Victoria and Pier View Apartments.

Holiday use of apartments means that realistic waste collection would be significantly less than formulaic approach calculates and should be reassessed.

Applicants have not engaged with neighbour.

Retention of existing store with roof and storage use would address concerns.
Closing of gate would provide compensatory parking space.

Revised proposals make minimal difference to original objections.

Request application determined by Planning Committee.

Ground floor store that is centrally located should be considered with platform lift.

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 includes a general duty to have special regard 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 Purbeck Local Plan 2012:

Policy SD – Presumption in favour of sustainable development

Policy LD – General location of development

Policy D – Design

Policy FR – Flood Risk

Policy LHH – Landscape, Historic Environment and Heritage

Policy IAT – Improving Accessibility and Transport

Adopted Swanage Local Plan:

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

Policy SS: Swanage Settlement

Policy STCD: Swanage Townscape Character and Development

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 Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

The Purbeck Local Plan (2018-2034) Submission January 2019 ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on Proposed Main Modifications and additional consultation on Further Proposed Main Modifications having been undertaken and a further public hearing session held on 19 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).

Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan.

In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but for the reasons set out above these policies should be accorded little weight in the determination of the application:

E1: Landscape

E2: Historic Environment

E12: Design

E4: Assessing flood risk

E10: Biodiversity and geodiversity

I2: Improving accessibility and transport

Emerging Neighbourhood Plans

Swanage Neighbourhood Plan- In preparation – limited weight applied to 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 14 'Meeting the challenges of climate change, flooding and coastal change'.
- 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).
- 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).

Other material considerations

Purbeck District Design Guide SPD

Managing and using traditional building details in Purbeck

Swanage Conservation Area Appraisal

Dorset AONB Landscape Character Assessment

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 proposed development would not disadvantage persons with protected characteristics. The proposed development with direct and level access from the parking court has the potential to enhance outcomes for all, including persons of protected characteristics.

14.0 Financial benefits

The proposal would not deliver any direct financial benefits to the local economy.

15.0 Environmental Implications

The proposal would provide increased bon storage capacity and may encourage improved use of bins and increased recycling opportunities.

16.0 Planning Assessment

Background to application

- 16.1 This application has been submitted following the provision of pre-application advice. The advice was sought in response to communication from Dorset Council’s Waste Collection Team advising the Royal Victoria Resident’s Association that the existing bin store – in use for over 40 years – is no longer acceptable for the collection of

waste. The residents were advised that a risk assessment undertaken by the Waste Collection Team identified that the access steps to the existing store together with the collection of many small containers poses a Health and Safety Risk to collections.

- 16.2 To address the risk, and ensure ongoing collections, the residents propose alterations to the existing bin store and the construction of a new raised bin store within the curtilage of Royal Victoria and Pier View Apartments.
- 16.3 Both planning permission and listed building consent are required, and this Planning Application should be considered alongside Listed Building Consent Application P/LBC/2022/045648.

Principle of proposed development

- 16.4 The application site is located within Swanage settlement boundary where new development is acceptable in principle in accordance with policies SD and LD of the Purbeck Local Plan 2012 (PLP 2012) and Policy SS of the Swanage Local Plan 2017 (SLP 2017). This is subject to the consideration of all other material planning issues as detailed in the sections below.

Scale, design, and impact on the character and appearance of the area

- 16.5 The existing bin store is sensitively located behind the existing boundary wall along the southern boundary of Pier View garden and does not therefore appear as an overly intrusive feature within the courtyard setting. Following consideration of various options to extend the existing bin store at pre-application stage, it was agreed by officers that an extended bin store that would be fully contained within the Pier View garden would result in least harm to adjacent listed buildings. Options to include a roof above the store were considered at pre-application stage but ruled out due to potential harm to neighbouring amenity (loss of light to windows and overbearing development on the boundary) and harm to the character and appearance of the area.
- 16.7 Numerous revisions to the proposal have been made during the application process to address concerns raised by neighbours, ward members, the Town Council, and the Conservation Officer. The revised plans include the retention of the existing bin store without the flat roof but including a raised internal finished floor level to match that of the adjacent courtyard. Raised flower beds within the retained bin store provide screening to the pedestrian access and neighbouring properties of Peter's Hole. A new raised bin store will be constructed to the east of the existing store and would be fully contained within the Pier View garden. The scale, height and design of the proposed bin store is considered to constitute the most acceptable scheme available given the significant heritage and neighbour amenity constraints of the site.
- 16.8 The new bin store would be enclosed by the existing Purbeck Stone boundary walling on its southern edge, with new double metal access gates installed to allow movement of bins into the courtyard on collection day. Within the Pier View garden, the finished floor level of the bin store would be raised by 1m above the garden ground level with a ventilated void below. A new cement rendered wall of approximately 2.4m in height above the Pier View garden level would enclose the store on north, east, and west sides (including stone topping of variable height). Planting boxes will be included within the new wall to soften the impact and provide additional screening.

- 16.9 The planning agent has advised that in the absence of an agreed scheme for a new bin store, residents could leave their bins in Hardy Court (within the application red line) resulting in significant clutter and harm to the character and appearance of the area as seen in neighbouring streets with lack of provision. Officers note that whilst there are conditions on some historic consents that require the retention of approved parking spaces, the alignment of bins along the northern boundary of Hardy's Court could be accommodated without loss of any parking provision or required access. As such, no formal action could be pursued if this approach was taken.
- 16.10 Given that the new bin store would be screened from the adjacent parking area by the existing southern boundary wall, and the size has been kept to the maximum considered acceptable within the heritage setting, officers consider that on balance, the scale, design and impact on the character and setting is considered to be acceptable in accordance with Policy D of the PLP 2012 and the Purbeck Design Guide SPD.
- 16.11 Conditions are however considered necessary to ensure that the proposed raised flower bed and in wall planting is undertaken before first use and that the render finish of the garden walls is of an acceptable colour and the metal gate finished in black to match the existing pedestrian gate to the garden. It is also considered reasonable to include a condition restricting bin storage within the areas of the parking courtyard that lie within the red line of the application site following completion of the bin store. This would prevent any future bin clutter within the courtyard setting.

Impact on heritage assets

- 16.12 The application site lies within the rear garden of the grade II listed former Royal Victoria Hotel and the grade II listed Pier View Apartments, and is located within Swanage Conservation Area. The designated assets are noted for providing historic interest as a site of the former Manor House, which may still contain fabric from that time, and through its association with William Morton Pitt and Queen Victoria. Architectural significance is provided through its formal, Georgian design that creates an important focal building within the Conservation Area. The site therefore also positively contributes to the special character and local distinctiveness of the Conservation Area.
- 16.13 The Conservation Officer was involved in pre-application advice on the proposal and has been consulted on the submitted scheme and various revisions throughout the application process. Comments provided by the Conservation Officer advise that although the proposed bin store is large and will be sited within the grounds of the listed buildings, due to the site gradient and existing boundary stone wall, the store will not be overly visible within the Conservation Area and will therefore cause no harm to the Conservation Area.
- 16.14 In respect of the setting of the Grade II Listed Buildings of the former Royal Victoria Hotel and the Pier View Apartments, the Conservation Officer considers that less than substantial harm will be caused to setting. Harm to Peter's Hollow – listed through its association with the Royal Victoria Hotel – is also considered to be less than substantial.
- 16.15 Paragraph 202 of the NPPF advises that 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.

- 16.16 The apartments to be served by the new bin store have been substantially developed over the years with little consideration given to suitable and sufficient growing waste requirements. It is noted that this is an increasing issue in higher density and tight grain historic centres where additional space is sought for not only waste bin storage, but also recycling and food waste storage. However, the risk of not providing a secure bin store for the apartments may result in large numbers of bins stored within the car park or surrounding streets, causing harm not only to the setting of the surrounding listed buildings, but also the character and appearance of the Conservation Area.
- 16.17 Officers therefore consider that the public benefit provided by way of the new bin store provision would outweigh the level of harm caused to the setting of the Grade II listed buildings including associated Peter's Hole. Consequently, there is no heritage objection to the proposal subject to conditions in respect of external material samples and full details of the proposed metal gates.
- 16.18 The proposed development is therefore considered to accord with the objectives of the NPPF (Section 16: Conserving and enhancing the historic environment), and Policies LHH and D of the PLP 2012.

Impact on neighbouring amenity

- 16.19 Swanage Town Council, local ward members and neighbours have raised many concerns over the impact of the proposed bin store on neighbouring amenity. These include loss of privacy, light and outlook, noise, odour, vermin, anti-social behaviour, increased litter and other potential options available. Letters of support were received from several occupants of Royal Victoria Apartments and Pier View Flats.
- 16.20 In terms of noise, odour, vermin, and increased litter associated with the use, whilst officers sympathise with the concerns raised, it is noted that the bins could be stored within the existing courtyard or on nearby pavements resulting in significant obstruction together with clutter and harm to the character and appearance of the area as seen in neighbouring streets. Officers would have no control over this approach which would inevitably result in worse impacts than the proposed bin storage within a secure and maintained compound.
- 16.21 As noted above, options to include a roof above the store were considered at pre-application stage but ruled out due to potential harm to neighbouring amenity (loss of light to windows and overbearing development on the boundary) and harm to the character and appearance of the area and the setting of heritage assets. Nevertheless, the applicants have sought to obscure views of the bin store by way of retention of the existing southern boundary wall, in-wall planting boxes on the northern boundary wall and provision of a deep raised flower bed adjacent to the pedestrian access in respect of views from the closest neighbour at Peter's Hole.
- 16.22 Neighbour comments have requested that the bin store is provided at ground level within the Pier View garden with a lift enabling the bins to be emptied at the higher courtyard level. Officers note that whilst improvements have been negotiated to the submitted scheme, it has never included the provision of a lift, and officers are only able to negotiate amendments as opposed to requesting a differing form of development which would require a new application.

- 16.23 Impacts on neighbouring and occupier amenity have been considered in detail throughout the application process. It is noted that concerns are raised by an occupier of Hardy Court, the Town Council and Ward Members in respect of neighbouring outlook over the bins. As noted above, the proposal has been amended to screen views of the bin store as best as possible. However, in the absence of a bin store, bins could be left within the courtyard or on neighbouring streets with greater harm to the area and neighbouring amenity. As such, officers consider that the revised plans seek to address harm to neighbouring outlook as best as possible.
- 16.24 The greatest impact of the proposed bin store on neighbouring amenity affects Peter's Hole to the west of the site. Peter's Hole is a detached cottage which is located approximately 3m to the west of the Pier View garden wall and within 1m of the existing bin store. The finished floor level of the ground floor of Peter's Hole is similar to that of the Pier View garden with the parking courtyard to the south being at a raised level. It is noted that an existing level of mutual overlooking exists between Peter's Hole, the neighbouring properties and their amenity areas, and users of the parking court including members of the public using Footpath SE3/29.
- 16.25 The property is served by ground and first floor windows on its southern elevation which face onto the courtyard. The existing bin store is located directly to the south-east of windows on the south elevation with the flat roof preventing any loss of privacy associated with its use. It is however noted that residential use of the courtyard at the higher level (and use of Footpath SE3/29) does result in an existing loss of privacy to all south facing windows of the cottage. Nevertheless, objections have been raised by Peter's Hole citing loss of occupier privacy and harm to outlook.
- 16.26 Alterations to the existing bin store to provide a level pedestrian access serving the new bin store (raising of finished floor level and removal of roof) will result in some new activity in proximity of the south facing windows. This will be greatest on bin collection days – for a temporary period - as the bins are pulled through the courtyard gates for emptying. Other activity within the area of the existing bin store is also likely to be temporary in nature as residents move through the space from the courtyard and the Pier View garden access.
- 16.27 To address the concerns raised, plan revisions include a deep raised planting area within the existing bin store along the boundaries with Peter's Hole. This will restrict direct overlooking of the bin store walls and will also serve to screen views from the south facing windows of the property. Conditions can be included on the decision in respect of a planting plan for the raised bed and a restrictive condition to prevent the use of the access area as any type of patio / seating area / wider storage that may result in extended periods of use and associated overlooking / loss of privacy to Peter's Hole.
- 16.28 In respect of the east facing windows serving Peter's Hole, these look onto the Pier View garden and boundary wall. The new stepped access into the bin store and use of the bins may result in some loss of privacy and overlooking of these windows. Again, it is considered that this would be for temporary periods of time associated with the use and would not result in prolonged period of overlooking or loss of privacy to the east facing windows and amenity area of Peter's Hole. Planting boxes are proposed in the north wall of the new bin store and will screen the bins and views from the store to a limited extent. However, it is again noted that the existing use of the parking courtyard at the higher level (including Footpath SE3/29) already results

in some loss of privacy to the east facing windows. On balance, officers therefore consider that the use of the bin store would not result in an additional level of harm to the neighbouring amenity (loss of privacy and overlooking of east facing windows and garden) to such an extent as to form a reasonable reason for refusal of the proposal.

- 16.29 It is considered that there may be some pressure to install a lighting scheme to serve the bin store. This would have potential to become intrusive to neighbouring properties. It is therefore considered reasonable to include a condition on the decision requiring details of any proposed lighting scheme to be submitted to the council for approval prior to installation. This will enable a full assessment of the scheme to be undertaken to ensure that potential harmful impacts on neighbouring amenity would be acceptable.
- 16.30 In summary, whilst the level of objection to the proposed bin store on grounds of impact on neighbouring amenity is noted, officers consider that on balance – when taking into consideration existing mutual overlooking and loss of privacy, temporary periods of use, and alternative bin storage within the courtyard - the proposed scheme is acceptable subject to conditions. The proposal is considered to accord with Policy D of the PLP 2012 and the Purbeck Design Guide SPD.

Bin storage capacity

- 16.31 The proposed bin store will be shared by a total of 27 properties (Royal Victoria x 17 and Pier View x 10). Whilst it was originally intended that the bin storage would also be used by Hardy Court, capacity restrictions and the need to meet Dorset Council specified capacity requirements for waste (as provided by the Waste Operations Manager) mean that Hardy Court residents will be unable to share the new provision. A summary of the proposed capacity compared to the capacity requirement provided by the Waste Operations Manager is provided in the table below:

Bin Type	Proposed Capacity for 27 properties	Dorset Waste Specified Capacity (maximum) for 27 properties	Surplus / Deficit
Recycling	5500 L = 5 x 1100 L bins	6600 L = 6 x 1100 L bins	- 1100 L
Refuse	3080 L = 4 x 770 L bins	4070 L = 3 x 1100 L bins & 1 x 770 L bin	- 990 L
Glass	480 L = 2 x 240 L bins	960 L = 4 x 240 L bins	- 480 L
Food	280 L = 2 x 140 L bins	280 L = 2 x 140 L bins	Provision met

- 16.32 The Waste Operations Manager has confirmed that he is unable to support the proposed levels of provision which are below the maximum capacity required for the number of apartments served.
- 16.33 Officers have carefully considered the deficit in provision identified in the table above. Whilst it is noted that this is not an ideal situation, the heritage and neighbour amenity constraints of the site mean that a bin store of increased capacity size cannot be supported. The new store will provide additional capacity to the existing and will address the accessibility issues on collection day. No historic planning

conditions have been identified that would restrict bin storage in the parking courtyard or adjacent areas, resulting in a position that would result in greater harm in terms of heritage and neighbour impacts. As such, officers consider that despite the deficit in bin capacity, the proposal would achieve a betterment compared to the existing situation and is on balance acceptable.

- 16.34 Nevertheless, it is considered that conditions are necessary and reasonable to ensure harm to neighbouring amenity is limited as detailed in the section above on neighbouring amenity.

Other considerations

- 16.35 **Parking** – The proposal will not result in any loss of parking provision within the car parking courtyard and is considered to accord with Policy IAT of the PLP 2012.
- 16.36 **Highways** – The proposal does not impact on any highways. The Council's Highway Engineer has been consulted and raises no objection.
- 16.37 **Public Right Of Way** – Footpath SE3/29 provides access through the car parking court linking Marshall Road with Seymer Road. The Council's Public Rights of Way Officer has raised no objection to the proposal but has advised that the development should ensure the safe free passage of the public and the rights of way must not be obstructed at any time. Any resulting damage to the surface of the footpath must also be repaired. An informative note to this effect can be included on the decision.
- 16.38 **Flood Risk and Drainage** – Whilst areas of flood risk are identified to the north of the apartments building along High Street (surface water and Flood Zones 2 & 3), the proposed bin store is located outside all areas of flood risk. The submitted plans indicated that the bin store will discharge to a soakaway in the Pier View garden, and it is considered that full details can be dealt with by way of a condition on the decision. The proposal is considered to accord with Policy FR of the PLP 2012.
- 16.39 **Impact on Dorset AONB** – The application site is located within the Dorset AONB which extends over the built area of Swanage. Given that the proposed development is located with an enclosed garden area of a high-density development close to Swanage Town Centre, it is considered that there would be no demonstrable harm to the landscape designation. The proposal is considered to accord with Policy LHH of the PLP 2012 in this regard.

17.0 Conclusion

- 17.1 The proposed development is considered – on balance – to accord with policies SD, LD, LHH, D, IAT, and FR of the Purbeck Local Plan 2012 and policies SS and STCD of the Swanage Local Plan 2012.

18.0 Recommendation

That planning permission be GRANTED subject to the following conditions and informative notes:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - psa-01 A Existing Location Plan
 - psa-02 A Proposed Location Plan
 - psa-04 E Proposed Layout Plan
 - psa-05 E Proposed Layout of Bin Store
 - psa-06 D Proposed Elevations and Sections

psa-07 D Proposed Elevation and Sections

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 ground level, details of surface water drainage scheme for the bin store shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and maintained for the lifetime of the development.

Reason: To prevent the increased risk of flooding.

4. Prior to first use of the bin store, a planting scheme for the raised bed and plant boxes shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the first planting season (November – March) following commencement of the development. Any trees, shrubs or plants that die within a period of five years from the completion of development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season (October to March) with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

Reason: In the interest of visual and neighbouring amenity.

5. No external lighting shall be installed to serve the bin store unless details of the lighting scheme have first been submitted to and agreed in writing by the Local Planning Authority. Thereafter the lighting scheme shall be installed, operated, and maintained for the lifetime of the development in accordance with the agreed details.

Reason: To protect visual amenities and avoid nuisance to adjoining properties.

6. The development hereby permitted shall not be used at any time other than for the purposes of a refuse and recycling bin storage facility only for and ancillary to the existing residential use of the Royal Victoria Hotel and Pier View Apartments.

Reason: The limited capacity of the bin store would not support use by wider residential properties.

7. The refuse and recycling bin store hereby approved shall not be used for any other purpose including a terrace, garden, amenity area or for other storage purposes.

Reason: To protect neighbouring amenity and privacy.

8. Following completion of the approved bin store, there shall be no bin or refuse storage within the car parking courtyard and associated access areas located

within the red line of the approved location plan by residents of the Royal Victoria Hotel and Pier View Apartments.

Reason: To protect neighbouring amenity and heritage impacts.

Informative Notes:

1. Informative: The applicant is advised that the granting of planning permission does not override the need for existing rights of way affected by the development to be kept open and unobstructed until the statutory procedures authorising closure or diversion have been completed. Developments, in so far as it affects a right of way should not be started until the necessary order for the diversion has come into effect.
2. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.
3. The applicant is advised that Wessex Water have published guidance notes about their surface water policy for minor development. The policy encourages developers to consider the most effective methods of directing surface water back to the environment in accordance with the Sustainable Drainage Systems hierarchy. Where necessary, applications to Wessex Water for a surface water connection can be made online.

<https://www.wessexwater.co.uk/services/building-and-developing/building-a-new-house-or-extension>

4. 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 applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

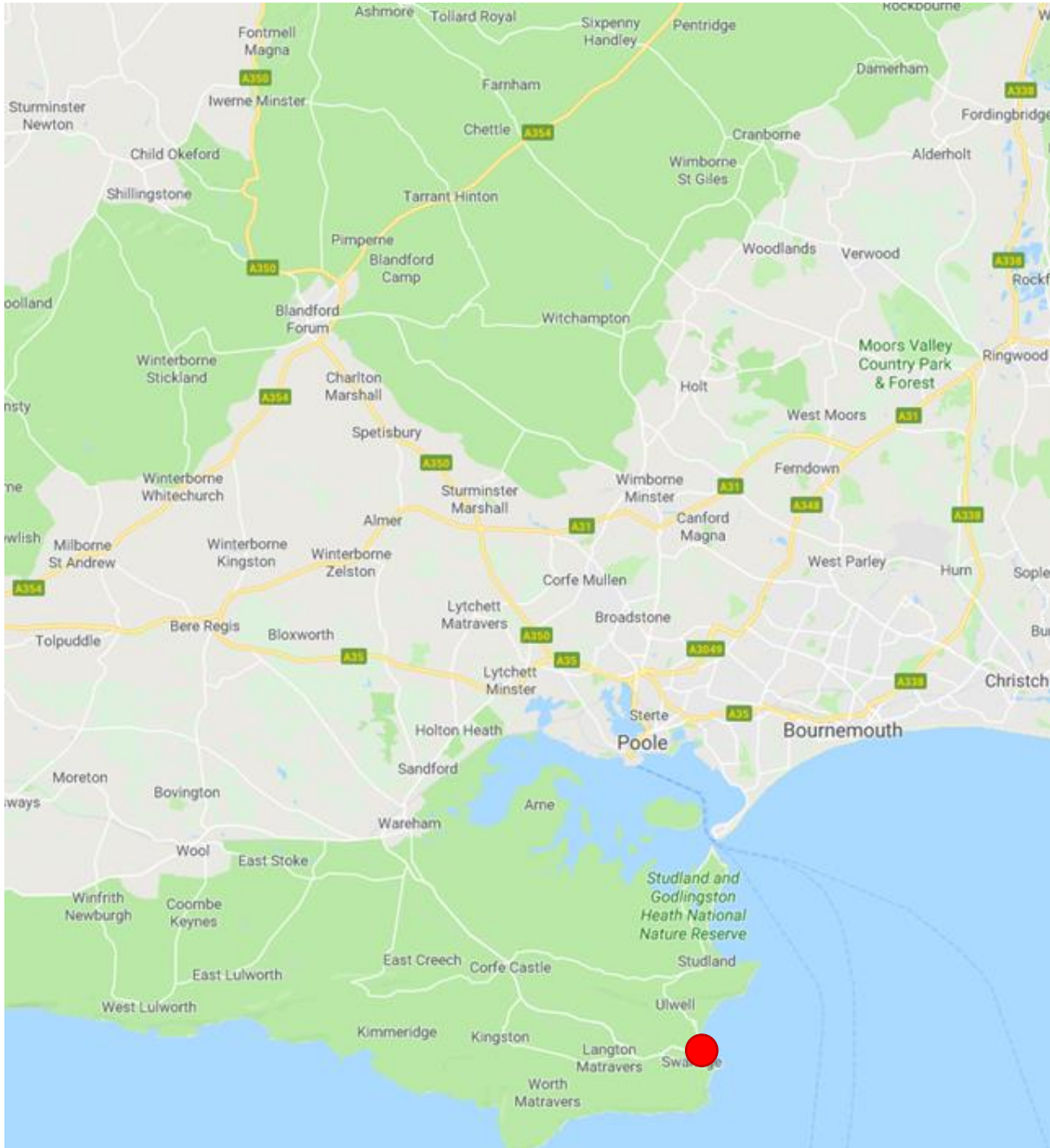
- The applicant was provided with pre-application advice.
- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

● Approximate Site Location

Application reference: P/FUL/2022/04653

Description of development: Bin store within the curtilage of Royal Victoria & Pier View Apartments

Site address: Pier View Flats, Seymer Road, Swanage, BH19 2AQ



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Agenda Item 7

Eastern Area Planning Committee
13 September 2023

Application Number:	P/LBC/2022/05648		
Webpage:	Planning application: P/LBC/2022/05648 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Pier View Flats, Seymer Road, Swanage, BH19 2AQ		
Proposal:	Bin store within the curtilage of Royal Victoria & Pier View Apartments		
Applicant name:	Mr R Loyd		
Case Officer:	Cari Wooldridge		
Ward Member(s):	Cllr Suttle and Cllr Trite		
Publicity expiry date:	5 July 2023	Officer site visit date:	03/11/2022
Decision due date:	16 June 2023	Ext(s) of time:	16 June 2023

1.0 The Nominated Officer has identified this application to come before the Planning Committee as the officer recommendation of approval is contrary to objections received from Swanage Town Council and Swanage Ward Members.

2.0 Summary of recommendation:

The committee be minded to GRANT listed building consent subject to conditions as set out in Section 18 of this report.

3.0 Reason for the recommendation: as set out in paras 16 – 17 of this report and summarised as follows:

- On balance, the public benefit provided by way of the new bin store provision would outweigh the less than substantial harm caused to the Grade II listed buildings and their setting

4.0 Key issues

Issue	Conclusion
Impact on heritage assets	Less than substantial harm to the curtilage and setting of Grade II Listed Buildings is outweighed by public benefit of the new bin store provision. No harm to Swanage Conservation Area.

5.0 Description of Site

5.1 The application site lies within the shared garden and parking court of the Grade II Listed former Royal Victoria Hotel and Grade II Listed Pier View Apartments. The

garden is enclosed on all sides by buildings and Purbeck Stone boundary walls. It includes areas of lawn, planting, several small storage outbuildings, and a greenhouse. Due to the hillside setting, the garden slopes gently upwards from north to south, with the tall southern boundary wall also serving as a retaining wall to the higher-level parking court to the south. The garden is overlooked by the flats it serves and the dwelling of Peter's Hole to the west and is currently accessed by steps and a pedestrian gate in its southeast corner.

- 5.2 The parking court to the south of the garden is set at a higher level and is accessed from the east off Seymer Road and from the west off Marshall Road. Areas of the parking court are within separate ownership and provide access to parking and garage provision serving the residents of Hardy Court. An existing flat roof bin store that is located directly to the southeast of Peter's Hole serves the Royal Victoria and Pier View flat residents is accessed by steps extending from the parking court.
- 5.3 The site is located within the curtilage and setting of Grade II Listed buildings and Swanage Conservation Area.

6.0 Description of Development

- 6.1 The proposal is for the construction of a new bin store within the curtilage of Royal Victoria and Pier View Apartments in Swanage.
- 6.2 It is proposed to remove the roof and raise the floor level of the existing bin store to the adjacent parking court level to enable direct and level access by residents and waste collection teams to the new bin store.
- 6.3 Raised beds will be provide planting to reduce direct overlooking of Peter's Hole (residential dwelling to the west) and to provide screening of the new bin store from windows serving Peter's Hole. The new bin store will be constructed to the adjoin the eastern boundary of the existing store and will be sited within the garden area serving the apartments.
- 6.4 The new bin store will retain the existing access from the car park and will extend east and northwards into the Pier View garden (9.2m in length by 3.6m in depth) to enable large bin provision that will meet a wider range of residents' waste and recycling requirements. Access to the bin store by residents will also be retained by way of new steps to be provided from within the Pier View garden. Provision of in wall planting boxes are proposed to provide visual enhancement and screening of the new bin store use.

7.0 Relevant Planning History

- 7.1 P/PAP/2021/00488 - Recycle bin store, remove roof, raise floor, and enclose walls and gates.

Summary of response to original plans - Officers are unable to support the proposed bin store alterations and extensions due to the harmful impact on the setting of Grade II Listed Buildings and Swanage Conservation Area. Officers have considered other potential options which appear to be limited. You may wish to consider alternative proposals and obtain further pre-application advice prior to the submission of any applications.

Summary of response to amended plans - Pleased to see a change in location for the bin store in a size that responds to the resident's waste needs. In principle there is no objection to the proposed location from a heritage perspective. Full cross-

section/elevation details should be provided at application stage. The design should be subservient with materials that are in keeping to the surrounding historic environment, and the continuation of the Cock-and-Hen capping stones is recommended.

Concerns regarding the removal of the roof to the existing bin store due to the potential impact on neighbourhood amenity. Although this is a planning consideration, Environmental Protection may have to be consulted for noise and odour due to the close proximity of a dwelling. To overcome any potential issues, could the existing walls be extended a course or two, and a retractable roof employed? Due to the close proximity of a tree to the proposed bin store, information on tree protection measures along with the confirmation that nothing will be stored that could impact the root protection area during construction will be required at application stage.

8.0 List of Constraints

Pier View Flats - Listed Building Grade II , Royal Victoria Hotel - Listed Building Grade II , Osborne House – Listed Building Grade II , The Rookery – Listed Building Grade II

Application site is within Swanage Conservation Area

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

Neighbourhood Area; Name: Swanage; Status Designated 22/02/2022

Right of Way: Footpath SE3/89; Footpath SE3/29; Bridleway SE3/27;

Risk of Surface Water Flooding Extent 1 in 100 – to front of site on High Street

Risk of Surface Water Flooding Extent 1 in 1000 – to front of site on High Street and adjacent to rear elevation of apartments

Areas Susceptible to Groundwater Flooding; Clearwater and Superficial Deposits Flooding; $\geq 25\%$ $< 50\%$

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

Site of Special Scientific Interest (SSSI) impact risk zone and (400m buffer): South Dorset Coast

Flood Zone 3 - to front of site on High Street, Flood Zone 2 - to front of site on High Street

Minerals and Waste - Waste Consultation Area

9.0 Consultations

The application was advertised by means of site notices and advertisements.

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

Consultees

1. Dorset Council – Highways:

No objection to original plans (comment received 03/11/22).

No further comment on amended plans (comment received 31/05/23).

2. Dorset Council - Dorset Waste Team (comments on amended plans received 31/05/23):

Unable to support.

Records show 35 properties use the bin storage area.

New layout will not accommodate capacity of bins for required properties.

3. Dorset Council - Conservation Officer:

Comments on original plans (received 29/12/22):

Will cause less than substantial harm to the setting of the grade II listed former Royal Victoria Hotel and Pier View Apartments.

Nearly 40 residential units use this bin store which is not fit for purpose.

High risk that large number of bins and refuse waste will litter the car parking area to the rear causing harm to the setting of the surrounding listed buildings and the character and appearance of the Conservation Area.

The public benefit through the construction of the store would outweigh the level of harm caused.

No heritage objection to the proposal subject to conditions.

Concerns raised over the amenity and increased odour/noise to Peters Hollow are for Planning Officer to consider. However, changes to the design are recommended.

Comments on amended plans (received 15/03/23):

Now proposing to build an inner wall to the original bin store to screen the site from Peter's Hollow.

The design does not sit comfortably overall, and it is recommended that the stone and render internal wall is replaced with timber.

No objection to the widening of the wall subject to condition for the proposed gate.

4. Dorset Council – Environmental Protection:

No objection.

5. Swanage Town Council (comments on original and amended plans received 24/11/22, 09/03/23 & 13/06/23):

Object with major concerns.

Open store not environmentally appropriate in this location and wholly inappropriate and unhygienic. The floor of the proposed store will be raised up, with larger waste bins open and exposed, which could potentially attract other waste/ rubbish from

surrounding properties/businesses/passers-by, small pests/vermin, and increase odour nuisance, which would be exacerbated in the warmer summer months.

Overlooking/loss of privacy/adverse impact on neighbour amenity of adjacent property.

Adverse impact on Listed Building and Conservation Area setting. More suitable areas are available.

Request that application referred to planning committee.

Minor amendments do nothing to mitigate the Council's original concerns.

7. Swanage Ward – Cllr Trite (comments on original plans):

Endorse views of objection of Town Council and Mr Joy.

Proposal is a health hazard which will adversely impact neighbouring residents' amenity.

Stench / vermin.

Overlooking of nearby windows.

Anti-social disposal of litter and dog excrement of passers-by.

Increase in height and loss of light to Peter's Hole.

Request referral to Planning Committee.

8. Swanage Ward – Cllr Suttle (comments on original plans):

Support Cllr Trite's email.

Formally request referral to Planning Committee on grounds of health, nuisance, proximity to the residence, light due to the new structure.

Representations received

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

Summary of comments of support to original and amended plans:

Bin store is shared between Pier View Flats and Royal Victoria Apartments. Confirm on behalf of Royal Victoria Residents' Association Ltd that we have no objection to the change to the bin store.

Summary of comments of objection to original and amended plans:

Easy access by vermin.

Easy access by passers-by to throw rubbish in.

Smell will worsen due to loss of roof.

Simplest and cheaper option to install lift.

Inappropriate within Conservation Area.

Substantial loss of privacy to occupiers of Peter's Hole through random frequent overlooking of bedroom, living room and garden by users of the open bin store. Screen planting cannot mitigate this.

Noise from closing of bins and use of access gate.

Adverse impact on Conservation Area and substantial harm to the setting of 'listed by association' Peter's Hole which is more severe than impact on listed Royal Victoria and Pier View Apartments.

Holiday use of apartments means that realistic waste collection would be significantly less than formulaic approach calculates and should be reassessed.

Applicants have not engaged with neighbour.

Retention of existing store with roof and storage use would address concerns. Closing of gate would provide compensatory parking space.

Revised proposals make minimal difference to original objections.

Request application determined by Planning Committee.

Ground floor store that is centrally located should be considered with platform lift.

10.0 Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 16 requires that in considering whether to grant listed building consent, 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 Purbeck Local Plan 2012:

Policy D – Design

Policy LHH – Landscape, Historic Environment and Heritage

Adopted Swanage Local Plan:

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

None applicable.

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 Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

The Purbeck Local Plan (2018-2034) Submission January 2019 ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on Proposed Main Modifications and additional consultation on Further Proposed Main Modifications having been undertaken and a further public hearing session held on 19 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).

Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan.

In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but for the reasons set out above these policies should be accorded little weight in the determination of the application:

E2: Historic Environment

E12: Design

Emerging Neighbourhood Plans

Swanage Neighbourhood Plan- In preparation – limited weight applied to 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 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).

Other material considerations

HE Advice Notes 2: Making Changes to Heritage Assets

HE: Conservation Principles

HE Good Practice Advice Note 3: Setting of Heritage Assets

HE Good Practice advice Note 2: Managing Significance in Decision Taking

Purbeck District Design Guide SPD

Managing and using traditional building details in Purbeck

Swanage Conservation Area Appraisal

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 proposed development would not disadvantage persons with protected characteristics. The proposed development with direct and level access from the parking court has the potential to enhance outcomes for all, including persons of protected characteristics.

14.0 Financial benefits

The proposal would not deliver any direct financial benefits to the local economy.

15.0 Environmental Implications

The proposal would provide increased bin storage capacity and may encourage improved use of bins and increased recycling opportunities.

16.0 Assessment

Background to application

- 16.1 This application has been submitted in conjunction with Planning Application P/FUL/2022/04653 following the provision of pre-application advice. The advice was sought in response to communication from Dorset Council’s Waste Collection Team advising the Royal Victoria Resident’s Association that the existing bin store – in use for over 40 years – is no longer acceptable for the collection of waste. The residents were advised that a risk assessment undertaken by the Waste Collection Team identified that the access steps to the existing store together with the collection of many small containers poses a Health and Safety Risk to collections.
- 16.2 To address the risk, and ensure ongoing collections, the residents propose alterations to the existing bin store and the construction of a new raised bin store within the curtilage of Royal Victoria and Pier View Apartments.

Assessment of heritage impacts

- 16.3 The application site lies within the rear garden of the grade II listed former Royal Victoria Hotel and the grade II listed Pier View Apartments, located within Swanage Conservation Area. Originally the Manor House of the Sentry Estate, the land was purchased in the early 1800's by William Morton Pitt with an aim to develop the area into a seaside resort to rival that of Weymouth's. Designated grade II in 1952, the former hotel was described at the time as:

Building of various periods from C17. Three storeys with a wing each side of the central block, white rendering, slate roof. Central block recorded as being built in C16 as a manor house. Front elevation dates from first half of C18. Pilasters remain visible between upper storey windows and have Ionic capitals below stone eaves cornice and blocking course. Central stone pediment has Venetian window and cornice with modillions. Upper storey has 5 sash windows with original glazing bars, shouldered architraves and keystones. Middle storey has an early C20 projection extending from the bottom storey across the entire front of the block. The roof of this has a semi-circular glass projection in the centre. Six sash windows. Both wings first half of C19 which continue stone eaves cornice and blocking course of the central block. Sash windows, those of upper storey have original glazing bars. Some modern windows inserted. The hotel, formed by William Morton Pitt from the original manor house, was visited by Queen (then Princess) Victoria in 1833 - hence the name. Note: The south part of the east wing is now in separate ownership - see Pier View Flats, Seymer Road. RCHM Monument 8.

- 16.4 The eastern wing of the former hotel, as noted within the list description above, is now in separate ownership and was formally designated in 1973. The site was described at the time as:

Formerly the rear part of the east wing of the Royal Victoria Hotel. Early C19. Rendered walls and slate roof behind parapet. Two storeys. Double-hung sash windows with glazing bars. Stone moulded cornice at eaves level. RCHM Monument 8.

- 16.5 The former hotel building has extensive planning history, and from the 1970's was converted into a number of apartments. Within these applications, as set out in the pre-application advice enquiry, it is noted that the southern boundary wall of the garden was demolished and rebuilt further north in order to accommodate car parking within the rear courtyard. The existing bin store, although marked on the first O.S map of 1888, appears to also have been demolished and rebuilt in its current location.
- 16.6 The site is located in Swanage Conservation Area. The Conservation Area Appraisal includes the site in Zone 4 – an area of the town noted for its polite Georgian/Regency style and strong horizontal emphasis along the High Street and Seymer Road. It is noted that two Public Rights of Way merge within the car park courtyard to the rear of the site and provide visual and physical permeability of the Conservation Area.
- 16.7 The designated assets are noted for providing historic interest as a site of the former Manor House, which may still contain fabric from that time, and through its

association with William Morton Pitt and Queen Victoria. Architectural significance is provided through its formal, Georgian design that creates an important focal building within the Conservation Area. The site therefore also positively contributes to the special character and local distinctiveness of the Conservation Area.

- 16.8 The Conservation Officer was involved in pre-application advice on the proposal and has been consulted on the submitted scheme and various revisions throughout the application process. The Conservation Officer notes that although the proposal store is large, due to the gradient of the site, the store will not be visible from the Conservation Area in this location and therefore cause no harm to the Conservation Area.
- 16.9 Amendments to the scheme have been made during the application process to address concerns in respect of harm to neighbouring amenity and harm to the listed buildings. The current proposal, which reuses the existing bin store as access with raised bed planting to provide screening to Peter's Hole has responded to concerns raised by the Conservation Officer.
- 16.10 In respect of the Grade II Listed Buildings, the Conservation Officer notes that although the new structure will be finished in render and Purbeck stone cock-and-hen coping to match the local material palette, the increase in size is nevertheless considered to cause less than substantial harm to the setting of the Grade II former Royal Victoria Hotel and Pier View Apartments.
- 16.11 The setting of a listed building is in the form of the surroundings in which the asset is experienced. The adjacent dwelling to the east - Peter's Hollow - is listed through its association with the Royal Victoria Hotel. The removal of the roof of the existing bin store to provide the new access risks increasing odour associated with its use which would impact the ability to appreciate the significance of the listed building, thereby causing less than substantial harm.
- 16.12 Paragraph 202 of the NPPF advises that 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.
- 16.13 The apartments to be served by the new bin store have been substantially developed over the years with little consideration given to suitable and sufficient growing waste requirements. It is noted that this is an increasing issue in higher density and tight grain historic centres where additional space is sought for not only waste bin storage, but also recycling and food waste storage. However, the risk of not providing a secure bin store for the apartments may result in large numbers of bins stored within the car park or surrounding streets, causing harm not only to the setting of the surrounding listed buildings, but also the character and appearance of the Conservation Area.
- 16.14 Officers therefore consider that the public benefit provided by way of the new bin store provision would outweigh the level of harm caused to the setting of the Grade II listed buildings including the associated Peter's Hole. Consequently, there is no

heritage objection to the proposal from the Conservation Officer subject to conditions in respect of external material samples and full details of the proposed metal gates.

- 16.15 The proposal is judged to accord with policy LHH which requires that proposals conserve heritage assets but that in considering the acceptability of proposals the Council will assess the impacts and balance them against other sustainable development objectives.

Other considerations

- 16.16 It is noted that non-heritage related objections submitted in respect of the related planning application (P/FUL/2022/04653) have also been submitted in response to the consultation undertaken on this Listed Building Consent application. Issues raised include harm to amenity, noise, odour, vermin etc. These issues are addressed in full in the officer report for the related planning application.

17.0 Conclusion

- 17.1 The proposal will result in the following impacts on the significance of affected heritage assets, including any contribution made by their setting:

Heritage asset	Grade	No harm	Less than Substantial harm	Substantial harm
Royal Victoria Hotel and Pier View Apartments	II		X	
Swanage Conservation Area	N/A	X		

- 17.2 Officers consider that the public benefit provided by way of the new bin store provision would outweigh the less than substantial harm caused to the setting of the Grade II listed buildings including associated Peter's Hole.

18.0 Recommendation

That listed building consent be GRANTED subject to the following conditions and informative notes:

- The works hereby permitted shall be carried out in accordance with the following approved plans:
 PSA-01 Existing Location Plan
 PSA-02 Proposed Location Plan
 PSA-04 D Proposed Site Layout Plan
 PSA-05 D Proposed Plan Layout of Bin Store
 PSA-05 E Proposed Layout of Bin Store
 PSA- 06 D Proposed Elevations and Sections
 PSA-07 D Proposed Elevations and Sections

Reason: To preserve the architectural and historical qualities of the building.

2. The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

3. Prior to development above ground level, details and samples of all external facing materials and finishes shall be 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 first installation, detailed drawings and specifications showing the design and external finish of the metal gate shall be provided to the Local Planning Authority and agreed in writing. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the area.

5. All new rainwater goods shall be constructed of half round profile cast metal and painted in a colour to be first agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the area.

Informative Notes:

1. 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 applications/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.

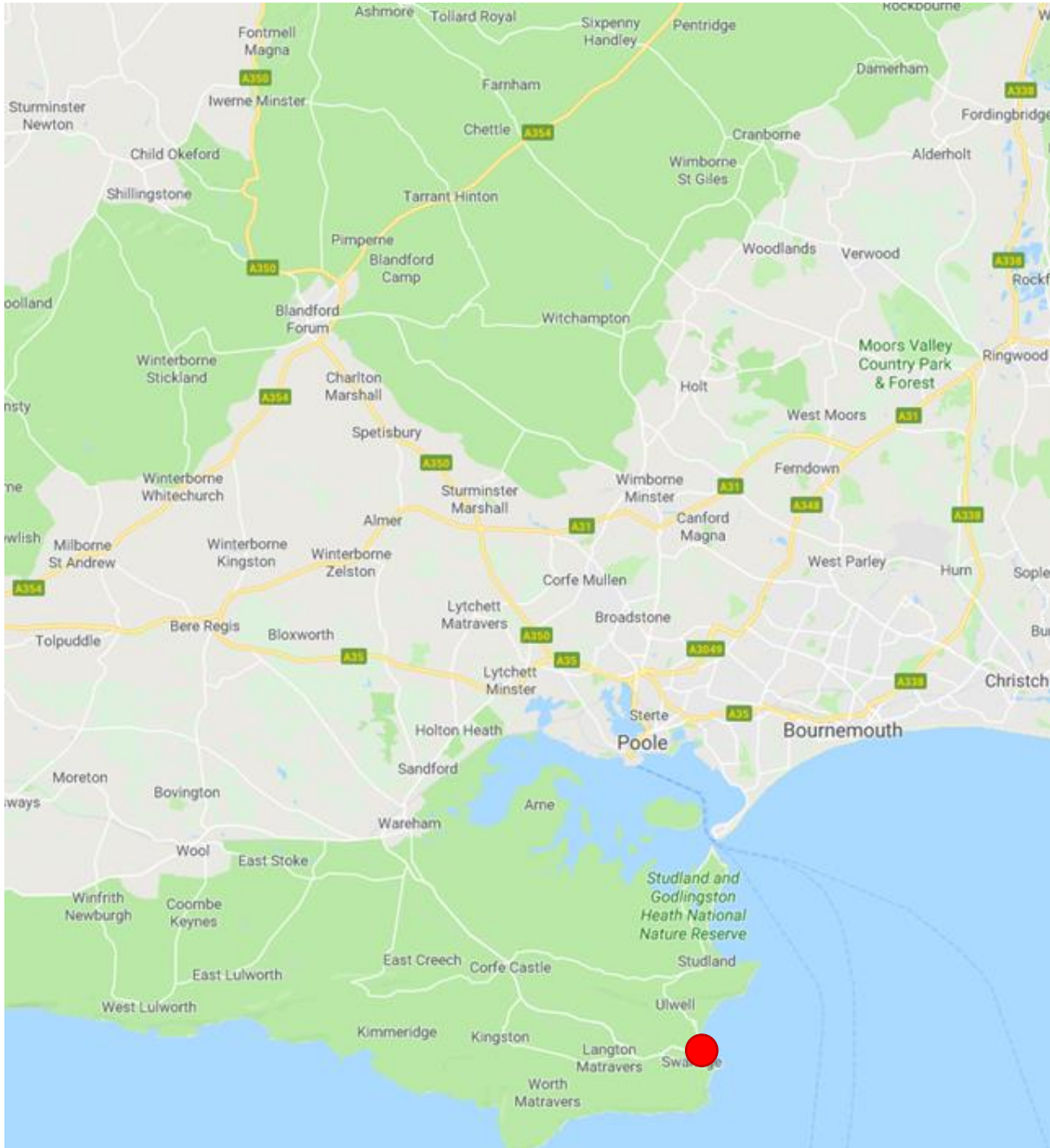
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● Approximate Site Location

Application reference: P/LBC/2022/05648

Description of development: Bin store within the curtilage of Royal Victoria & Pier View Apartments

Site address: Pier View Flats, Seymer Road, Swanage, BH19 2AQ



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Agenda Item 8

Eastern Planning Committee 13 September 2023

Application Number:	P/HOU/2022/06153		
Webpage:	Planning application: P/HOU/2022/06153 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	10 Court Road Swanage BH19 1JE		
Proposal:	Two storey rear extension with dormer window and internal alterations		
Applicant name:	Mr & Mrs Weeks		
Case Officer:	Victoria Chevis		
Ward Member(s):	Cllr Suttle and Cllr Trite		
Publicity expiry date:	6 July 2023	Officer site visit date:	27 July and 8 August
Decision due date:	23 August 2023	Ext(s) of time:	15 September 2023

1.0 Reason application is going to committee

The Nominated Officer has identified this application to come before the Planning Committee in light of the concerns raised by the Town Council in relation the scale of the design, the proposed materials, possible loss of light, impact on the character of the area and overlooking.

2.0 Summary of recommendation:

Grant planning permission subject to conditions.

3.0 Reason for the recommendation: as set out in section 16

- 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	Acceptable development within Swanage settlement boundary
Scale, design and impact on the character of the dwelling and the wider locality	Acceptable
Impact on neighbouring amenity	Acceptable
Biodiversity	Acceptable

5.0 Description of Site

The proposal is within a residential location with a high density of built development.

The site is located to the west side of Court Road, characterised by a terrace of 6 dwellings in a similar style.

The site comprises the main two storey dwelling with stone brick and rendered walls, with concrete tiles and UPVC windows, set back from the highway behind a small front garden.

To the rear of the dwelling is a rear garden area, with outbuilding attached to the dwelling with pitched roof in slate.

The garden is enclosed by a large stone wall and fencing. There is a separate access to the dwellings from a path situated at the northeast side of the garden. The site is located within the settlement boundary of Swanage and within the Dorset Area of Outstanding Natural Beauty.

6.0 Description of Development

The proposal is for the erection of a two storey, flat roofed, 3m deep rear extension and the addition of a dormer window to the rear elevation on the second floor.

The proposed rear extension is comprised of stone brick and rendered walls with UPVC windows to match the existing. The proposed dormer is under a flat roof with pre-patinated zinc and vertical larch cladding.

7.0 Relevant Planning History

6/2019/0189 - Decision: GRA - Decision Date: 29/04/2019

Erect single storey rear extension – Certificate of Lawfulness (Proposed)

P/PAP/2022/00375 - Pre-application advice provided-Response Date: 03/08/2022

Two storey rear extension and dormer window to be added to existing loft room.

Summary: The proposal for the two-storey extension and the dormer window are acceptable in principle, however, the proposed scale and materials of the dormer window do not meet planning policy guidance for good design. The scale and design would need to be amended to make the development acceptable.

8.0 List of Constraints

- Within Swanage settlement boundary.
- Within an area susceptible to groundwater flooding.
- Area of Outstanding Natural Beauty (AONB): Dorset (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)

9.0 Consultations

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

Consultees

1. Dorset AONB – 06/06/2023

No wish to comment due to scale of proposal.

2. Dorset Council Conservation – 06/08/2023

no major impact on the setting or significance of the conservation area and no harm to any listed buildings.

3. Swanage Town Council – 04/07/2023

Concerns over; Scale of design, materials, loss of light, context, impact on surrounding properties, impact on setting of Court Farmhouse, accuracy of the block plan and overlooking.

Representations received.

The application was advertised by the posting of 2 site notices on 15/06/2023 with an expiry date of 06/07/2023. As the proposal ties into the neighbouring property, notice was also served on the adjacent owner.

Total - Objections	Total - No Objections	Total - Comments
8	0	0

Concerns included, scale of design, materials, loss of light, impact on surrounding properties, impact on setting of Court Farm House, impact on the character of the area, accuracy of the block plan, overlooking, over development, encroaching on public land, overbearing, use as a second home and structural issues that may result to include blocked drains, damp, noise and footing issues.

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.

Section 85 of the Countryside and Rights of Way Act (2000) requires that regard is had to the purpose of conserving and enhancing the natural beauty of the AONB.

11.0 Relevant Policies

Development Plan

Adopted Purbeck Local Plan Part 1:

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

- Policy SD - Presumption in favour of sustainable development
- Policy LD - General location of development
- Policy D - Design

Adopted Swanage Local Plan:

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

Policy STCD - Swanage Townscape Character and Development

Material Considerations

Emerging Purbeck Local Plan:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) 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
- (c) 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.

The *Purbeck Local Plan (2018-2034) Submission January 2019* ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is

ongoing, hearing sessions and consultation on *Proposed Main Modifications* and additional consultation on *Further Proposed Main Modifications* having been undertaken and a further public hearing session scheduled to be held on 22 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).

Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan. In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but these policies should be accorded little weight in the determination of the application

- E2: Historic Environment
- E12: Design
- E4: Assessing flood risk – Surface water flooding risk - Low.

Emerging Neighbourhood Plans

Swanage Neighbourhood Plan- In preparation – very limited weight applied to decision making

Other Material Considerations

National Planning Policy Framework

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Purbeck District Design Guide supplementary planning document adopted January 2014.

Swanage Townscape Character Appraisal

Purbeck District Design Guide SPD

National Planning Practice Guidance

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.

During construction the proposal could have greater impacts for those with protected characteristics, for instance those who are housebound but following construction no material impacts are anticipated.

14.0 Financial benefits

There are no financial benefits relating to this householder application. The proposal is not liable for a CIL payment.

15.0 Environmental Implications

The proposal is for extensions and alterations to a dwelling. These will be constructed to current building regulation requirements and will be serviced by suitable drainage to prevent surface water flooding.

16.0 Planning Assessment

16.1 The main planning considerations are:

- Principle of development
- Scale, design and its impact on the Dorset AONB and character of the area
- Impact on neighbouring amenity

16.2 These and other considerations are assessed below.

Principle of development

16.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise.

- 16.4 The site is situated within the settlement boundary of Swanage. As such, the principle of the proposed development is acceptable in accordance with Purbeck Local Plan Policies SD and LD. There is no 'in principle' objection to the proposed development, subject to the consideration of all other material planning issues.

Scale, design and impact on the Dorset AONB and character of the area

- 16.5 The site lies within the Dorset AONB where great weight is to be given to conserving and enhancing landscape and scenic beauty. The Dorset AONB Management Plan objective C1 is that the AONB and its setting is conserved and enhanced by good planning and development.
- 16.6 In this case, 10 Court Road, is an end of terrace property within an urban setting. The regularity of the design of the front elevations of dwellings in the terrace contributes to the townscape but this is a localised impact as the building is screened by other built form in all directions.
- 16.7 The property is not a listed building and is located outside of the Swanage Conservation Area which is to the east of Court Road. The front (east) elevation is to remain unchanged so the proposal will not result in harm to the setting of the Conservation Area. There are no listed buildings within the immediate vicinity of number 10.
- 16.8 The scale of the proposed rear extension is subservient and will not overwhelm the form of the existing dwelling or constitute over-development; the dwelling will retain over 12 metres of garden length.
- 16.9 The matching materials of the rear extension will ensure a good visual relationship with the existing dwelling. The design is functional, with a very limited pitch on the lean-to roof but this limits the bulk and, given the limited depth of the extension, its location to the rear of the dwelling and that there are other flat roofed extensions on the terrace, the form would not result in any demonstrable harm. Views from public vantage points are limited (mainly from Princess Road to the West). From there the extension will be viewed in its context alongside the existing two-storey extensions in the terrace and will not conflict with the overall defining character of the area as a whole nor diminish the scenic beauty of the AONB.
- 16.10 The applicant has responded to the pre-application advice received by reducing the size of the rear dormer by over 2m in length and altered the proposed materials. The size of the dormer is now in proportion with the scale of the roof and will not appear dominating in the roof scape. Its positioning has symmetry with the alignment of the windows in the lower floors of the rear of the house.
- 16.11 Although different to the existing roof materials, the chosen zinc and larch boarding will complement the roof in colour and tone. This, along with the scale and

proportions of the dormer means it will visually integrate into its surrounding and not look out of keeping with the domestic character and appearance of the rear of the terrace and neighbouring properties. Although there are no other dormer windows on this short terrace of dwellings, they can be seen in the immediate area on both front and rear elevations.

- 16.12 Purbeck Townscape Character Appraisal states that “*The Edwardian and inter-war estate development north and south of the town centre are constant areas where limited change is acceptable provided its overall character is maintained*”. The introduction of a rear dormer would not be visible from the street scene and would not alter the character of the dwelling or its positive contribution to the street scene.
- 16.13 The proposals will be compatible with and maintain the character and qualities of this part of Swanage which accords with policies LHH: Landscape, Historic Environment and Heritage, D: Design of the Purbeck Local Plan, policy STCD: Swanage Townscape Character and Development of the Swanage Local Plan and E12: Design, of the Emerging Local Plan.

Impact on neighbouring amenity

- 16.14 Properties 23 and 25 Princess Road are two storey dwellings with limited rear gardens (approx. 4m deep). High rear boundary fences and a back access path provide separation with the rear of the application site at 10 Court Road and there is a building-to-building distance of approximately 21m. As a result, existing overlooking to the rear is limited.
- 16.15 The proposal will replace a rear rooflight with a dormer window serving a bedroom and toilet on the second floor and will bring first floor bedroom window 3m closer to the boundary. Whilst this may result in a greater perception of overlooking, it is anticipated that the fence will remain effective in screening overlooking so the changes are judged unlikely to result in demonstrable harm compared to the existing relationship.
- 16.16 There is an existing high level of mutual oblique overlooking between properties in Court Road, and into the garden of 17B to the northwest from the existing bedroom window at first floor and the existing roof light on the second floor. The new bedroom windows in the extension and dormer window are not judged to result in any significant increase in the opportunity to overlook given that a similar degree of separation with adjoining properties is retained.
- 16.17 The position of the extension will not cause any direct loss of light due to the dwelling’s northern position in relation to its adjoining neighbour No. 12 and the angle at which No. 8’s rear elevation faces slightly more north-westerly away from No.10.
- 16.18 Residents at No. 12 Court Road have raised concerns that the proposed two-storey rear extension would appear overbearing. 12 Court Road has a rear, pitched roof,

single storey projection which adjoins No. 10 Court Road and a rear two storey flat roof extension. It also has a shed behind the single storey washroom (shown as one building on the block plan). This proposal would replace no. 10's section of the rear projection with a flat roof extension an additional 1.7m high. This would not result in any demonstrable overshadowing since the proposed extension would lie to the north and the degree of loss of natural light to the first-floor window in no. 12 would be limited as the two projections have flat roofs.

- 16.19 It is acknowledged that the extension, in combination with the existing two storey extension at no 12 will result in a 'tunnelling effect' for that property, but the outlook from the ground floor is already significantly compromised by existing built form and at first floor no significant harm to amenity has been identified due to the limited depth of the exiting extension to no. 12 (1.3m) and the position of the window approx. 1.5m away from the new extension.
- 16.20 For the above reasons the proposal is judged to accord with policy D: Design of the Local Plan.

Biodiversity

- 16.21 A Preliminary bat roost appraisal was completed in May in the existing building and no evidence of bat roosts or bats entering the building was found. Whilst there may be bats hunting and foraging in the area there is no evidence to suggest bats are using this building.

16.22 Other issues raised in representations

- 16.23 The Party Wall Act would apply to the proposed extension. The adjacent owners are aware of the application and have submitted comments. Requirements to comply with the Party Wall Act are not a planning matter.
- 16.24 This dwelling is not being used as a second home therefore these concerns are not valid planning matter.
- 16.25 The structural integrity of the building, blocked drains and damp arising as a result of this development is a building control or civil issues and not a planning matter.
- 16.26 The proposed development is contained within the redline plan and will not encroach on the shared access footpath to the north and west of the boundary.

17.0 Conclusion

For the reasons set out above the proposal is considered to accord with the development plan and national planning policies with no material considerations indicating that permission should be refused and therefore approval is recommended subject to the conditions as set out below.

18.0 Recommendation

Approve 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:

22/014/D1 - Location plan submitted 06/10/2022

22/014/D2 - Block plan submitted 06/10/2022

22/014/SK1 - Proposed floor plans and elevations submitted 06/10/2022

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

3. The materials to be used on the proposed development shall accord with those identified on plan 22/014/SK1 with the render finish to match the existing dwelling.

Reason: In the interests of the amenity of the area

Informative Notes:

1. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.
2. The applicant is advised that bats are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 and Part 3 of Conservation of Habitats and Species Regulations 2017 (as amended). Work should proceed with caution and if any bats are found, all work should cease, the area in which the bats have been found should be made secure and advice sought from Natural England (tel: 0300 060 3900), website www.naturalengland.org.uk before proceeding.

Further information about the law and bats may be found on the following website <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>
3. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.
4. 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 applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

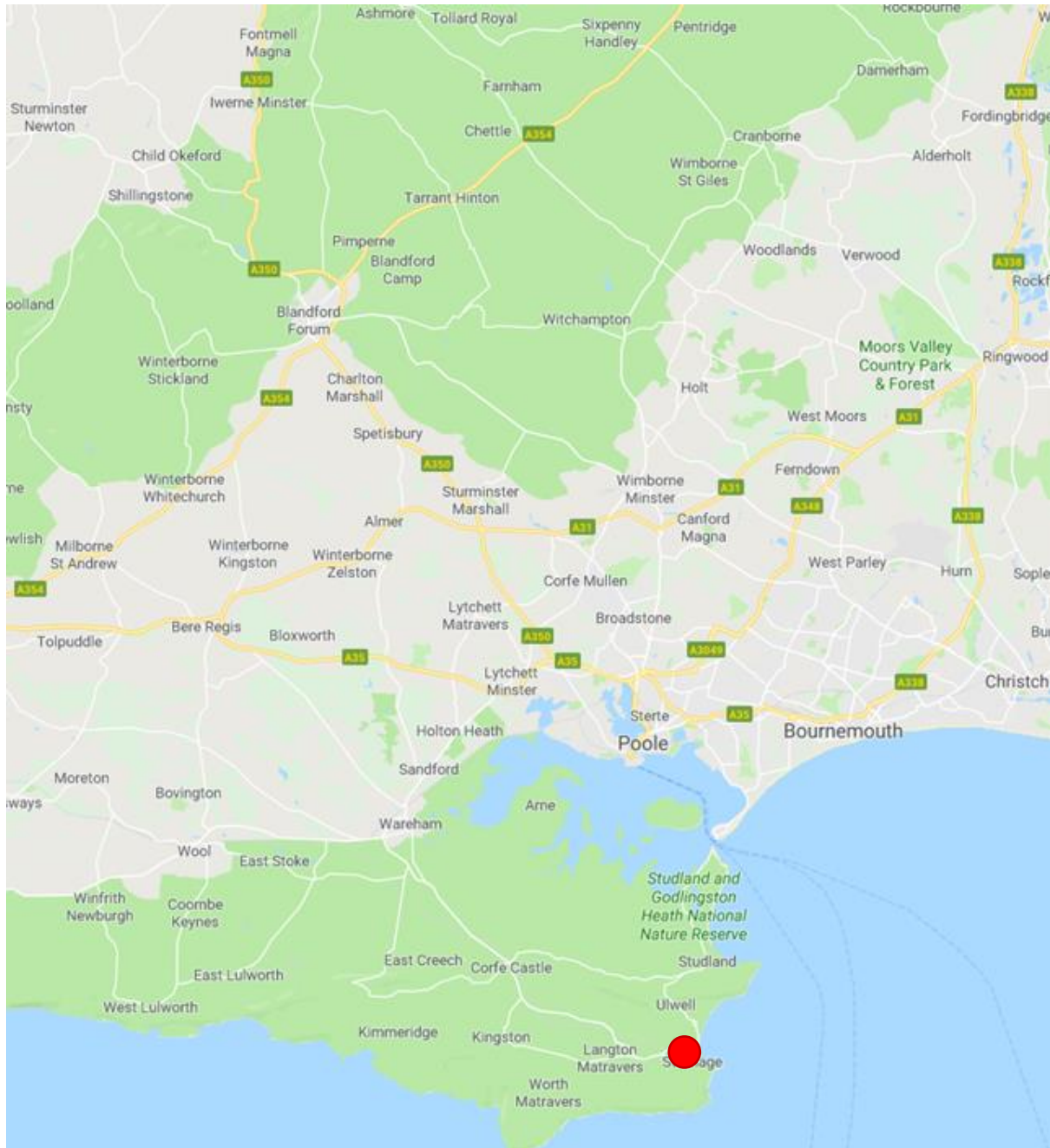
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● Approximate Site Location

Application reference: P/HOU/2022/06153

Description of development: Two storey rear extension with dormer window and internal alterations

Site address: 10 Court Road Swanage BH19 1JE



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Application Number:	P/FUL/2023/02398		
Webpage:	Planning application: P/FUL/2023/02398 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Hillside First School Hillside Road Verwood BH31 6HE		
Proposal:	Installation of an air source heat pump and erection of 3m high acoustic barrier		
Applicant name:	Mr Bowell		
Case Officer:	Steve Clothier		
Ward Member(s):	Cllr Coombs, Cllr Flower and Cllr Gibson		
Publicity expiry date:	12 July 2023	Officer site visit date:	16 May 2023
Decision due date:	15 September 2023	Ext(s) of time:	15 September 2023

1. Reason for Committee Consideration

Land owned by Dorset Council

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation: as set out in Section 16 of this report

- The location of the proposed air source heat pump is considered to be discrete and 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 school is located in the settlement boundary where the principle of an air source heat pump is acceptable and sustainable.

Scale, design, impact on character and appearance	The units and acoustic barrier would be set against this large school complex where their impact would be modest.
Impact on amenity	The only amenity impact would be in terms of noise. A Noise Impact Assessment has been submitted which has been the subject of comments from the Environmental Health Officer who recommends a condition to secure the proposed mitigation measures.

5.0 Description of Site

- 5.1 This school site is located to the north of the settlement of Verwood at the northern end of Hillside Road. Some of the northern part of the site lies within the Green Belt although the main school buildings complex is within the settlement boundary. The main entrance to the school is accessed from Hillside Road where there is a car park and access to the reception area.
- 5.2 Established residential properties of a variety of designs and sizes lie to the south and west of the school. The site itself is relatively level around the vicinity of the proposals including the car park and adjacent road.

6.0 Description of Development

- 6.1 This proposal is to replace the existing school boiler with an air source heatpump which would be located on the south façade of the building in a corner formed by the main building and a projecting front wing. The two units would each be a maximum of 1.71 metres high with a depth of 0.75 m and width of 1.98 m set inside a 3m high acoustic fence with a pedestrian gated access. Note - the plans have been amended since the original submission to include the acoustic fence in line with the recommendation of the Environmental Health Officer.

Materials specified for the acoustic barrier are white powder coated frame and posts with buff colour panels.

7.0 Relevant Planning History

This site has a lengthy planning history which is not relevant to the consideration of this proposal. The most recent planning permission is:

3/17/0484 - Decision: GRA - Decision Date: 20/04/2017

Demolish 2 single and 1 double temporary classroom and erect a modular building containing 4 classrooms and toilets. Construct new hard play area.

8.0 List of Constraints

Settlement Boundary; Verwood.

Dorset Council Land (Freehold): Hillside First School, Hillside Road, Verwood

9.0 Consultations

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

Consultees

Natural England – no objection

Bournemouth Water Ltd – no comment or objection

Dorset Council Trees (East & Purbeck) – no objection

Dorset Council Environmental Services – Protection – no objection subject to a condition to secure the mitigation measures recommended in the Noise Impact Assessment.

Verwood Town Council – no objection

Ward Member- Cllr Gibson – supports this application.

Representations received

A site notice was posted outside the site on the 12/05/2023 with an expiry date for consultation 22 days from the date of the notice. One representation was received asking exactly where the pump is to be located, what are the likely operating hours, what the anticipated noise level will be, how will it impact on their property and is it environmentally friendly. The Case Officer responded to these comments on the 27th June 2023, no further comments have been received.

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.

11.0 Relevant Policies

Development Plan

Adopted Christchurch and East Dorset Local Plan:

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

KS1 - Presumption in favour of sustainable development

KS2- Settlement hierarchy

HE2 - Design of new development

ME5 – Sources of renewable energy

Saved policy DES2- Criteria for development to avoid unacceptable impacts from types of pollution, of the East Dorset Local Plan 2002.

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.

Other Material Considerations

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 14 'Meeting the challenges of climate change, flooding and coastal change'

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.

The proposed air source heat pumps and acoustic fence will not impact materially on anyone with a protected characteristic.

14.0 Financial benefits

None relevant

15.0 Environmental Implications

The proposal will lead to a reduced carbon footprint by decarbonising the school estate.

16.0 Planning Assessment

16. The main planning considerations for this application are:
- Principle of development
 - Scale, design and impact on character and appearance
 - Impact on amenity

Principle of development

17. As this site lies within the settlement boundary of Verwood the principle of the proposed air source heat pumps is acceptable. Local Plan Policy ME5 encourages the sustainable generation of energy from renewable and low carbon sources where adverse social, environmental, and visual impacts have been minimised to an acceptable level.

Scale, design and impact on character and appearance

18. The location of the air source heat pumps and acoustic fence at the front of the school buildings would mean that they would be visible in the public realm. However, they would be seen against the walls of the school with the car park in front of them and would appear very much as subservient features particularly having regard to the visual screening that would be provided by the acoustic fence. While they would have a utilitarian appearance, they would be modest in size when compared to the school buildings as a whole and would be acceptable features in this context, particularly bearing in mind the benefits of sustainable energy provision. These comments would also apply to the proposed security mesh fencing.
19. In conclusion, on this matter it is considered that the proposals would be appropriate in accordance with policy HE2 given the site context and the benefits achieved.

Impact on amenity

20. The proposed air source heat pumps and associated security fencing would be located well away from neighbouring residential property (the closest being about 30 metres away) such that they would have no adverse neighbour impacts in terms of light or shadowing. The only potential impact that has been identified is that relation to potential noise nuisance.
21. A Noise Impact Assessment (NIA) has been submitted which has identified that the closest residential properties are Nos. 9 and 10 Hillside Road.
22. The report has been the subject of consultation with the Environmental Health Officer who has raised no objection to the proposals subject to a condition that secures the mitigation measures proposed in the NIA. The NIA has been undertaken in the context of recently published CIEH/loA Professional Guidance Note: Heat Pumps (Nov.2022). The plans have been amended to include the acoustic fence which would ensure that the predicted noise rating

levels at the two closest residential properties identified would be below the target limit of LAR 35 dB (LAR 26 dB) These would ensure that any noise impacts would be limited to a level which would not harmfully impact on neighbouring amenity in accordance with policy HE2 and saved policy DES2.

17.0 Conclusion

The proposed air source heat pumps and acoustic fence are acceptable in principle with no adverse implications for visual amenity or for occupants of neighbouring properties.

18.0 Recommendation

Grant, subject to 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:

577-P-01 Location Plan

577-P-02 Block Plan

577-P-05 Proposed Elevations & Plant Plan

577-P-04B Proposed floorplan and fence elevation

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

3. Prior to the development hereby approved being first brought into use the 3m acoustic fence shown on drawing no. 577-P-04B must be installed. The development shall be completed in accordance with the approved details and the noise attenuation measures including the acoustic fence shall be retained thereafter.

Reason: In order to protect the living conditions of surrounding residential properties.

Informative Notes:

1. 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 applications/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.

2. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

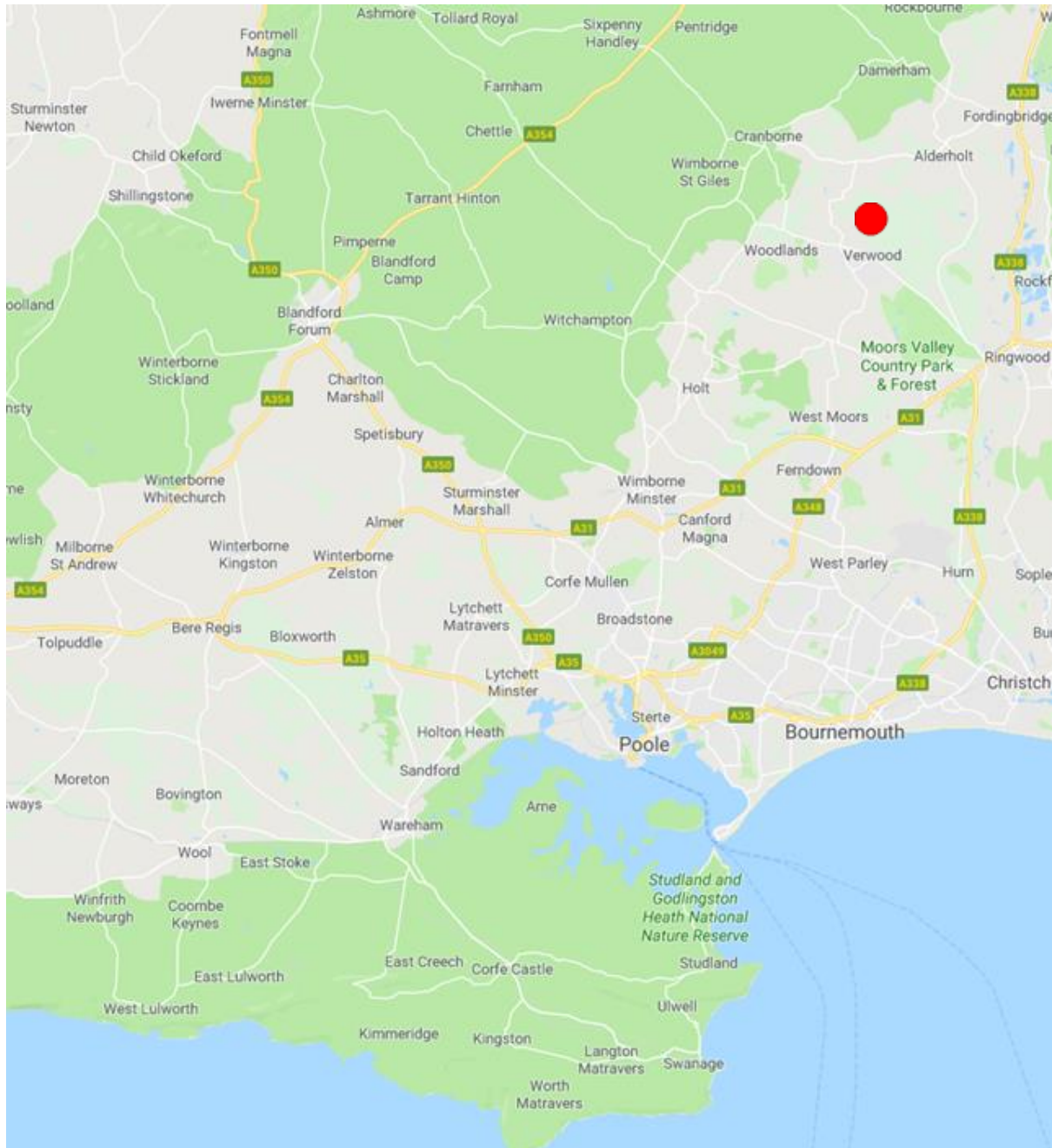
3. We would advise applicant to follow guidance: [heat-pumps-briefing-note-professional-advice-note.pdf](#) (cieh.org).

● Approximate Site Location

Application reference: P/FUL/2023/02398

Description of development: Installation of an air source heat pump and erection of 3m high acoustic barrier

Site address: Hillside First School Hillside Road Verwood BH31 6HE



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Application Number:	P/FUL/2023/02868		
Webpage:	Planning application: P/FUL/2023/02868 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	St Johns CE VC First School St Johns Hill Wimborne Minster BH21 1BX		
Proposal:	Installation of air source heat pumps (as amended)		
Applicant name:	St Johns CE VC First School		
Case Officer:	Victoria Chevis		
Ward Member(s):	Cllr Bartlett and Cllr Morgan		
Publicity expiry date:	9 August 2023	Officer site visit date:	8 August 2023
Decision due date:	15 September 2023	Ext(s) of time:	15 September 2023

1.0 Reason application is going to committee

The application site includes land owned by Dorset Council (the school field to the north of the site).

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation: as set out in paras 16 of this report

- The location of the proposed air source heat pump is considered to be discrete and 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 school is located in the settlement boundary where the principle of an air source heat pump is acceptable and sustainable.
Scale, design, impact on character and appearance	The units would be set against this large school complex where their impact would be modest.

Impact on amenity	The only amenity impact would be in terms of noise. A Noise Impact Assessment has been submitted which has been the subject of comments from the Environmental Health Officer who recommends a condition to secure the proposed mitigation measures.
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5.0 Description of Site

- 5.1 This school site is located to the east of Wimborne Town Centre. The main entrance is accessed from St John Hill with a further entrance to the playground accessed from Legg Lane. The site lies within Rowlands Hill/ St John's Hill Conservation Area.
- 5.2 Established residential properties of a variety of designs and sizes lie to the north, east and west of the school. Immediately to the south is St John's Church.

6.0 Description of Development

The proposal is to replace the existing school boiler with air source heat pumps which would be located on an area of flat roof, between 2 pitch roofs, towards the north end of the building. The two units would each be a maximum of 1.71 metres high with a depth of 0.75m and width of 1.98m.

Note - the plans have been amended since the original submission to include the acoustic fence in line with the recommendation of the Environmental Health Officer.

The proposal relocates the plant on to the roof rather than at ground level as within the original submission. The location will be in between two pitched roofs and the plant is therefore not visible from the road

2m high acoustic screens are included as part of the proposal. Materials specified for the acoustic barrier are white powder coated frame and posts with buff colour panels.

7.0 Relevant Planning History

03/02/0663/CON

Decision: No Objection Decision Date: 18/06/2002

Demolish Hall, Timber Frame Extension, Rear Ext, Toilet Block and Timber Frame Classroom. (Conservation Area App.)

03/02/0802/FUL

Decision: No objection Decision Date: 07/08/2002

Erection Of Single Storey Teaching Extension to Replace Temp Buildings Comprising School Hall, 2 Class Bases Associated Storage and Toilets

03/96/0883/FUL

Decision: GRA Decision Date: 05/12/1996

Change Of Use of Former Schoolhouse from Residential to Education Use, Erect Single Plant Room & Install Velux Window

03/96/0917/CO

Decision: No objection Decision Date: 21/11/1996
Demolition Of Brick Chimney Stack to Former School House, Removal of External Timber Frame & Brickwork Under Front Porch of Former School House,

3/09/0208/CPO

Decision: No objection Decision Date: 07/05/2009
Single Storey Side Extension to South Side of School

3/19/1017/FUL

Decision: GRA Decision Date: 13/08/2019
Replacement of existing boundary fencing to enhance security.

3/2009/0208

Decision: GRA Decision Date: 07/05/2009
Extension to side of school

8.0 List of Constraints

Within the Rowlands Hill/ St John's Hill Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Within settlement boundary: Wimborne/Colehill

Dorset Council Land (Freehold): St Johns CE First School

Wildlife Present: S41 - insect - beetle (Coleoptera)

Flood Zone 2

9.0 Consultations

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

Consultees

Dorset Council - Conservation Officers –No objection subject to conditions as the new units will not be visible from the street

Dorset Council - Environmental Protection - no objection subject to a condition to secure mitigation identified in the Noise Impact Assessment.

Wimborne Minster Town Council – No objection

Representations received

Site notices were erect on Legg Lane and St John's Hill on 08/06/2023 with an expiry date of the 29/06/2023. No comments were received.

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 includes a general duty to have special regard 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 Christchurch and East Dorset Local Plan:

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

KS1 - Presumption in favour of sustainable development

KS2- Settlement hierarchy

HE1- Valuing and Conserving our Historic Environment

HE2 - Design of new development

ME5 – Sources of renewable energy

Saved policy DES2- Criteria for development to avoid unacceptable impacts from types of pollution, of the East Dorset Local Plan 2002.

Material considerations

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.

Emerging Neighbourhood Plans

Wimborne Minster Neighbourhood Plan- In preparation – very limited weight applied to decision making

Other material considerations

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 14 'Meeting the challenges of climate change, flooding and coastal change' Paragraphs 152 - 158 advise that:

The planning system should support renewable and low carbon energy and associated infrastructure. It should help increase the supply of renewable energy and support community lead initiatives where impact are (or can be made) acceptable.

SPG 11 Wimborne, St John's (Rowlands Hill/St John's Hill) Conservation Area

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.

The proposal will not materially impact anyone with protected characteristics.

14.0 Financial benefits

None relevant

15.0 Environmental Implications

The proposal will lead to a reduced carbon footprint by decarbonising the school estate.

16.0 Planning Assessment

16.1 The main planning considerations for this application are:

- Principle of development
- Scale, design and impact on character and appearance
- Impact on amenity

Principle of development

16.2 As this site lies within the settlement boundary of Wimborne/Colehill the principle of the proposed air source heat pumps is acceptable. Local Plan Policy ME5 encourages the sustainable generation of energy from renewable and low carbon sources where adverse social, environmental and visual impacts have been minimised to an acceptable level.

Scale, design and impact on the Conservation Area

- 16.3 Policy HE1 requires that heritage assets are conserved and where appropriate enhanced for their historic significance and importance. NPPF chapter 16 identifies that where a proposal will lead to less than substantial harm to the significance of a heritage asset then this harm should be weighed against the public benefits of the proposal.
- 16.4 St John's First School lies within the Rowlands Hill/St John's Hill Conservation Area and is part of the strong Victorian building legacy that accounts for much of the character of the area. It was constructed in the mid-19th century and has been extended and altered over time. It is red brick with a slate roof with architectural features such as buff brick detailing to windows and doors and deep reveals and steep pitched roofs. The building makes a positive contribution to the street scene alongside St John's Church.
- 16.5 The position of the air source heat pumps was amended during the application process as it was identified that the original position, close to the existing boiler room, would have resulted in a loss of useable space in a small area of playground used as a reflection area and an access route for the students. The amended position, utilising the roof space, allows the school to retain all of their playground area and the pumps will no longer be visible from the street.
- 16.6 The amended location of the air source heat pumps is on an area of flat roof between 2 pitched roofs towards the north end of the school. While the pumps will have a utilitarian appearance when viewed from the raised playing field to the north, they are modest in size when compared to the school buildings. The pumps will be screened immediately to the east and west and also to the south by pitched roofs. To the north trees provide screening from views beyond the site. Within this setting harm to the Conservation Area will be avoided.
- 16.7 The air source heat pumps in this revised location are acceptable features within the proposed setting, particularly bearing in mind the benefits of sustainable energy provision. In conclusion, on this matter it is considered that the proposals would avoid harm to heritage assets so accord with policy HE1 and the requirements of the NPPF to protect heritage assets.

Impact on amenity

- 16.8 It is noted that The Institute of Acoustics (IOA) and the Chartered Institute of Environmental Health advise against positioning plant on a roof. However, it is accepted that there will be exceptions, for example, in urban areas where walls and roof space may be the only realistic option, as is the case in this application.

- 16.9 The proposed air source heat pumps would be located well away from neighbouring residential property such that they would have no adverse neighbour impacts in terms of light or shadowing. The only potential impact that has been identified is that relation to potential noise nuisance.
- 16.10 A Noise Impact Assessment (NIA) has been submitted which has identified that the closest residential properties are two storey Bramley House (approx. 50m to the north) and the bungalow at 43 Legg Lane (approx. 40m to the west). In order to mitigate any impacts on neighbouring amenity a 2m high acoustic fence is proposed to screen the pumps. This is anticipated to result in low noise levels experienced at the facades of the two properties; the levels accord with the CIEH/loA Professional Guidance Note: Heat Pumps (Nov 2022).
- 16.11 The report has been the subject of consultation with the Environmental Health Officer who has raised no objection to the proposals subject to a condition that secures the mitigation measures proposed in the NIA which would ensure that any noise impacts would be limited to those that would avoid demonstrable harm to neighbouring amenity in accordance with policy HE2 and saved policy DES2.

17.0 Conclusion

The proposed air source heat pump is acceptable in principle with no adverse visual impacts in the Conservation area or harmful impacts on amenity for occupants of neighbouring properties.

18.0 Recommendation

Grant, subject to 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:

576 P 01 - Location plan submitted 30/05/2023

576 P 05 - Proposed plant plan and elevations - submitted 12/05/2023

576 P 06 Rev B - Proposed roof plan - submitted 04/07/2023

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

3. Prior to the development hereby approved being first brought into use, the mitigation measures set out in paragraph 4.2 of the Noise Impact Assessment, received 26/07/2023, must be complete. The development shall be completed

in accordance with these approved details and the noise attenuation measures shall be retained thereafter.

Reason: In order to protect the living conditions of surrounding residential properties.

Informative Notes:

1. We would advise applicant to follow guidance: heat-pumps-briefing-note-professional-advice-note.pdf (cieh.org).
2. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

3. 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.

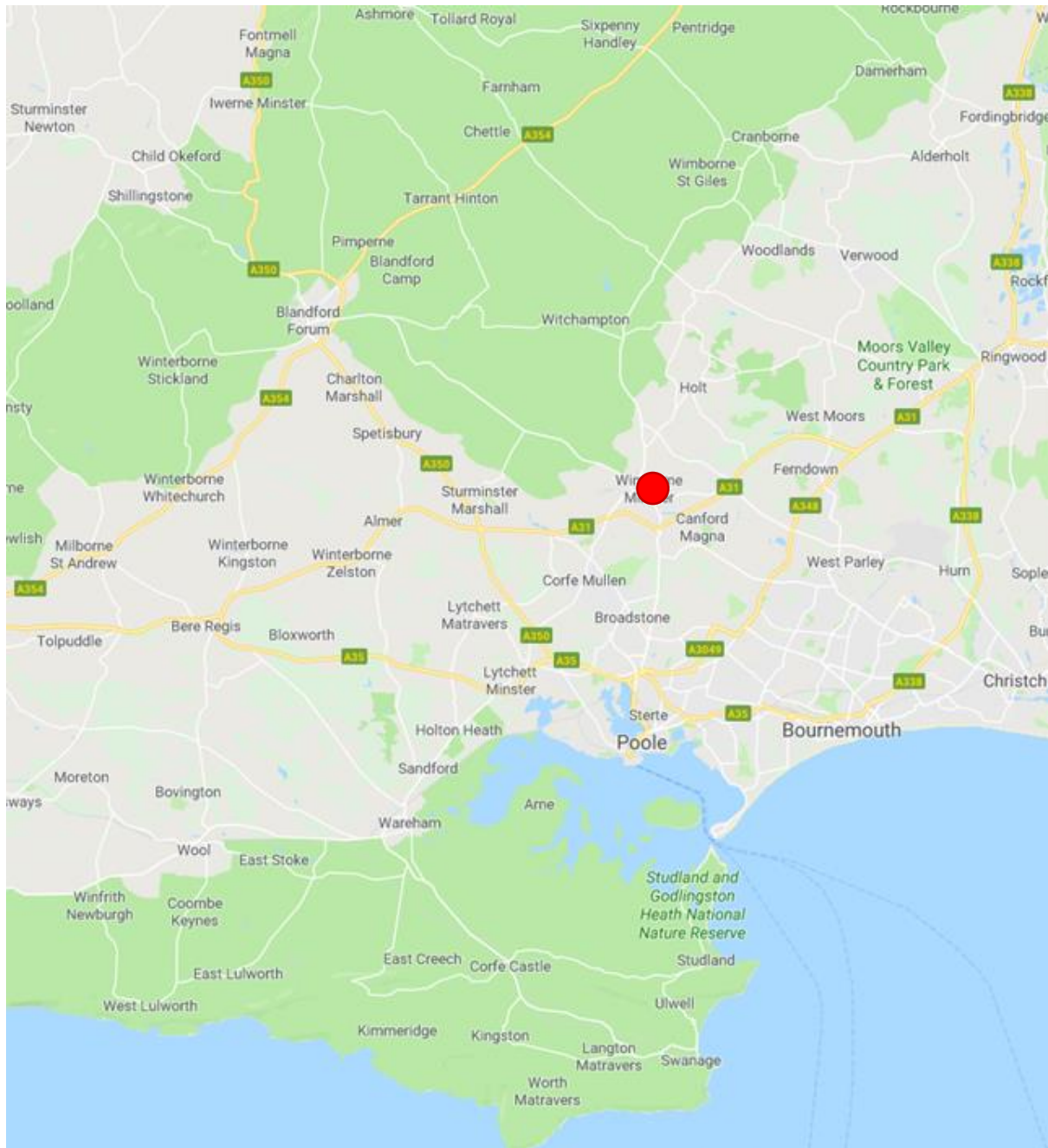
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● Approximate Site Location

Application reference: P/FUL/2023/02868

Description of development: Installation of air source heat pumps

Site address: St Johns Ce VC First School St Johns Hill Wimborne BH21 1BX



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Application Number:	P/ADV/2023/02384		
Webpage:	Planning application: P/ADV/2023/02384 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Holton Heath Garage, Wareham Road, Holton Heath, BH16 6JW		
Proposal:	Erection of new Totem Sign to front of existing forecourt		
Applicant name:	Sterling Petroleum Ltd		
Case Officer:	Cari Wooldridge		
Ward Member(s):	Cllr Ezzard, Cllr Holloway		
Publicity expiry date:	2 August 2023	Officer site visit date:	12/07/23
Decision due date:	16 August 2023	Ext(s) of time:	

1.0 This planning application is required to be considered by the Planning Committee as Dorset Council is the freeholder of the land within the red line site boundary.

2.0 Summary of recommendation:

GRANT advertisement consent subject to conditions.

3.0 Reason for the recommendation:

The proposal is compliant with the NPPF, PPG and relevant policies of the Purbeck Local Plan 2012.

- The proposal is acceptable in impact on amenity.
- The proposal is acceptable in impact on public safety.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Impact on amenity	Acceptable subject to conditions.
Impact on public safety	Acceptable subject to conditions.

5.0 Description of Site

5.1 The application site consists of 1169 sqm (0.1169 ha) of land associated with Holton Heath Garage / Petrol Station. The site is located on the A351 Wareham Road, to

the north-east of Organford. The red line includes the single storey shop building and yard to the rear, forecourt, new canopy (currently being installed), and access and egress from Wareham Road.

- 5.2 A mixture of uses surround the site including Holton Heath Park (park homes) to the rear, residential dwellings to the north-east and south-west, and Admiralty Park on the opposite side of Wareham Road. The adjoining residential bungalow of 'The Firs', which is located outside the site boundary but directly to the south-west of the shop building, is currently in a poor state of repair and believed to be uninhabited.
- 5.3 The site is located in the South-East Dorset Green Belt which washes over the entire area of Holton Heath / Organford. It is located outside a defined settlement boundary and within the countryside. The north-eastern access off Wareham Road also serves Holton Heath Park to the rear.

6.0 Description of Development

- 6.1 This application follows two former approvals for the site (as detailed below) and proposes the erection of a new internally illuminated 6.83m high 'totem pole' sign to the front of the garage forecourt (7m high including plinth).

7.0 Relevant Planning History

P/FUL/2022/02394 - Removal of existing canopy, supply and fit of new canopy, fuel dispensers and islands, and new offset fillers – Granted 08/12/2022.

P/FUL/2022/04531 - Extension of existing Class E retail unit – Granted 23/02/2023.

8.0 List of Constraints

- Greenbelt
- Existing ecological network
- Higher Potential ecological network
- Site of Special Scientific Interest (SSSI) impact risk zone
- Radon: Class: Less than 1%
- Contaminated Land
- Medium pressure gas pipeline 25m or less from Medium Pressure Pipelines (75mbar - 2 bar) - Distance: 2.04

9.0 Consultations

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

Consultees

- 1. DC - Highways (received 12/07/23)**
 - No objection subject to conditions.
- 2. Wareham St Martin Parish Council (received 05/07/23)**

- No objection despite lack of detail.
- Request sign is turned off at night to maintain dark skies.

3. Ward Members (Cllrs Holloway and Ezzard)

- No comments received.

Representations received

- The application was advertised by means of site notices. No other representations were received.

10.0 Duties

10.1 Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that a local planning authority shall exercise its powers in the display of advertisements in the interests of amenity and public safety only, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

11.0 Relevant Policies

Development Plan

Adopted Purbeck Local Plan Part 1:

Policy D – Design

Policy LHH - Landscape, Historic Environment and Heritage

National Planning Policy Framework (2021):

Section 4 'Decision taking' - Paragraph 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' - Paragraph 136:

The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Other material considerations

Emerging Dorset 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.

Emerging Purbeck Local Plan:

The Purbeck Local Plan (2018-2034) Submission January 2019 ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on Proposed Main Modifications and additional consultation on Further Proposed Main Modifications having been undertaken and a further public hearing session held on 19 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).

Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan.

In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but for the reasons set out above these policies should be accorded little weight in the determination of the application:
E12 - Design

Purbeck District Design Guide SPD (2014):

Paragraph 145:

Advertisements and signage should not appear visually dominant or incongruous when viewed within both the context of your property and its broader context. You should take into account the cumulative (combined) impact of adding new signs or advertisements to existing to avoid visual clutter.

Paragraph 146:

If you are considering the use of illuminated signs, take note of the established level and type of building and street lighting within the vicinity. Consider the potential for light pollution, glare and other adverse impacts upon amenity arising from the use of lighting. Choose fittings that provide directed and discrete lighting. You should generally avoid internally lit box signs due to their bulk and excessive levels of lighting involved. Halo illumination (where low-key lighting is provided beneath solid built-up lettering providing a glow) may sometimes be appropriate.

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 proposal would not result in any disadvantage to persons with protected characteristics.

14.0 Financial benefits

What	Amount / value
Material Considerations	
Advertisement of commercial premises	Additional local employment opportunities
Non-Material Considerations	
Full Business Rates 2023/24	£4191

15.0 Environmental Implications

15.1 There are no significant environmental impacts arising from the signage? Can't even recall if it is lit. Any illuminated signage could result in some light spill but it's impacts could be mitigated by imposition of conditions and the restriction of any illumination correlate with opening hours of the filling station.

16.0 Planning Assessment

16.1 The main policy considerations are set out in paragraph 136 of Section 12 of the National Planning Policy Framework (2021) relating to adverts, which states that:

'Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'

Impact on Amenity

16.2 Planning Practice Guidance on 'Advertisements' (paragraph 79) advises that:

In practice, "amenity" is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement.

16.3 The immediate area surrounding Holton Heath Garage is largely residential in character with adjacent properties to the south-west, north-west and north-east consisting of bungalows and / or chalet bungalows with detached houses beyond. Also located to the north-east of the site is a vehicle dealers' forecourt and vehicle repairs and MOT Centre. On the opposite side of Wareham Road is the site of the former Royal Naval cordite factory – a Scheduled Monument – which is screened from the application site and Wareham Road by extensive mature trees and vegetation. The overall character and appearance of the area to the western side of Wareham Road, and directly surrounding the application, is suburban in nature.

16.4 The proposed totem pole would be located directly to the front of the garage forecourt and would be viewed against the backdrop of the canopy and shop to the west and the busy Wareham Road (A351) to the east. The sign would measure 2.05m in width, 0.61m in depth and 6.83m in height above the slab on which it would be erected) . The total height above ground level would be approximately 7m. Constructed of a steel frame and finished in moulded acrylic, the sign would be divided into 4 coloured sections (BP colours of white, light green and yellow) to advertise the fuel provider logo (BP), fuel pricing, and other services available at the site.

16.5 Sited within an area of grass verge directly adjoining the footpath, the totem pole would be screened from wider views along Wareham Road by trees and vegetation to the north and south. Given the commercial character of the immediate setting, the proposed totem pole is not considered to appear out of place or intrusive within its setting.

16.6 It is proposed to illuminate the Totem Pole internally with static illumination. The Professional Lighting Guide 05 (PLG05) for 'The Brightness of Illuminated Advertisements' (by the Institute of Lighting Professionals, 2014) sets out the recommended illumination levels for five environmental zones from urban areas to protected dark sky areas. Whilst the application site is not located within a settlement

boundary, the siting on the A351 with street lighting on both sides of the road is considered to fall within the 'suburban' environmental zone (E3) with medium district brightness associated with a suburban location. In such areas, the guide recommends a maximum luminance of 300cd/m² for an illuminated area of over 10m².

- 16.7 The table below sets out a comparison of the proposed levels of illumination for each section of the Totem Pole Sign against the recommended luminance for an illuminated area over 10m².

Pole Section	Proposed Luminance (Cd/m²)	Comparison with recommended luminance
Section 01	400	Exceeds
Section 02	200	Below
Section 03	400	Exceeds
Section 04	250	Below

The proposed illumination levels for sections 01 & 03 of the sign exceed the recommended luminance levels for a suburban area as set out in the Professional Lighting Guide.

- 16.8 However, given the character of the area, the main road siting, and the presence of street lighting, it is considered that the exceedance of the levels on sections 01 and 03 would not result in a level of harm to the amenity of the area that would be so substantial as to constitute a reason for refusal. Nevertheless, the Parish Council has requested that the sign is turned off at night-time, and it is considered reasonable to impose a condition that restricts the illumination of the sign to between the hours of 6am - 11pm only so as to match the conditioned hours of use of the forecourt and retail unit. It is also considered reasonable to include a condition on the decision that limits the maximum illuminance of the proposed signage sections as set out in the table above.
- 16.9 The Former Royal Naval Cordite Factory Scheduled Monument is located to the east of the application site on the opposite side of Wareham Road. The site is well screened by existing tree foliage and with the presence of street lighting on both sides of the road, the proposed signage is not considered to affect the character and setting of the Scheduled Monument.

Impact on Public Safety

- 16.10 Planning Practice Guidance on 'Advertisements' (paragraphs 67 – 78) identifies considerations affecting public safety as including impacts on the safety of roads, railways, waterways, docks, harbours, aircraft, aerodromes, and impacts on crime prevention measures.
- 16.11 The application site is located adjacent to the A351 Wareham Road and impacts on public safety are restricted to highway and pedestrian safety only. The Council's Highway Engineer has raised no objection to the proposed totem pole subject to conditions on the decision requiring the advertisement to be static only and to prevent illumination directed towards the highway. There is considered to be no harmful impact with regard to highway safety, the obstruction of road user views, or

glare / dazzle / to road users. However, lack of detail is provided for sections 03 and 04 of the pole which are likely to be used for wider advertisement and it is considered reasonable to required details of the displays within these sections to be submitted to the Council for approval before installation within the signage. This will provide the opportunity for further consultation to be undertaken with the Highway Engineer should it be considered that the display(s) may distract or confuse road users on the busy road. This can be dealt with by way of a condition on the decision.

16.12 The sign would be located on an area of grass verge adjacent to the footpath and would not infringe on footpath accessibility or pedestrian views and visibility.

17.0 Conclusion

17.1 For the above reasons, and subject to conditions, officers consider that there would be no significant individual or cumulative impact on amenity or public safety resulting from the proposed totem pole sign which is considered to accord with the requirements of Policy D of the PLP 2012 and paragraphs 145 and 146 of the Purbeck Design Guide SPD 2014.

18.0 Recommendation

GRANT subject to conditions:

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

2022/290/014 C Location Plan

2022/290/013 C Block Plan

2022/290/015 A Site Plan

2022/290 BP Colour Guide

2022/290/016 A Site Plan

2022/290/017 A Proposed South & West Elevations

2022/290/018 A Proposed North & East Elevations

2022/290/019 Existing Signage

2022/290/020 Proposed Signage Pole

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

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. No advertisement shall be sited or displayed so as to; a)danger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); b)obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or c)hinder the operation of any device used for the purposes of security or surveillance or for measuring the speed of any vehicle.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. The illumination of the advertisement hereby permitted must be static, have no moving parts, no flashing lights, no animation, no reflective material and no images that could lead it to be confused with a formal road signs.

Reason: In the interests of amenity and public safety

7. The sign hereby approved shall not be illuminated outside of the opening hours of 6am - 11pm of the business to which this signage relates.

Reason: In the interests of amenity.

8. Any lighting and/or floodlighting must be located and screened in such a manner that no illumination is directed towards the adjoining highway.

Reason: in the interests of highway safety to ensure that drivers are not dazzled or distracted by the light.

9. Prior to first and all subsequent installations, full details of Sections 03 and 04 of the totem pole signage shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with the details as have been agreed.

Reason: In the interest of public safety.

10. The illumination of the advertisements hereby permitted shall not at any time exceed:

Section 01 - 400cd/m²

Section 02 - 200cd/m²

Section 03 - 400cd/m²

Section 04 - 250cd/m²

The Sections are those identified on approved plan 2022/290/020 Proposed Signage Pole.

Reason: In the interests of amenity and public safety.

Informative Notes:

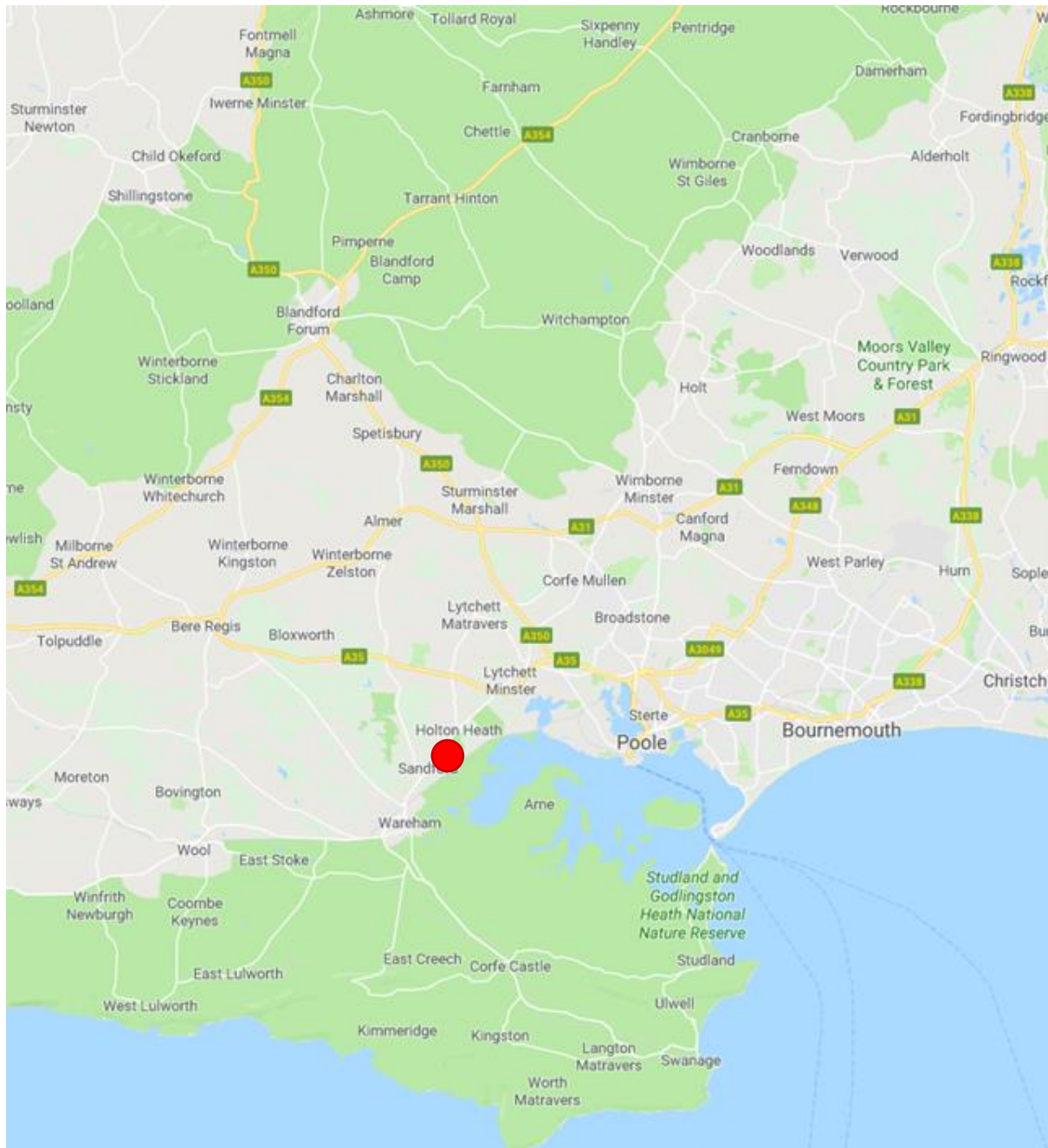
1. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.

● Approximate Site Location

Application reference: P/ADV/2023/02384

Description of development: Erection of new Totem Sign to front of existing forecourt

Site address: Holton Heath Garage Wareham Road Holton Heath BH16 6JW



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