



Northern Area Planning Committee

Date: Tuesday, 19 December 2023
Time: 2.00 pm
Venue: Stour Hall - The Exchange, Old Market Hill, Sturminster Newton, DT10 1FH

Members (Quorum: 6)

Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Brian Heatley, Carole Jones, Stella Jones, Emma Parker, Val Pothecary, Belinda Ridout and David Taylor

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

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224709 - megan.r.rochester@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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Agenda

Item		Pages
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	DECLARATIONS OF INTEREST	
	To disclose any pecuniary, other registerable or non-registerable interests as set out in the adopted Code of Conduct. In making their disclosure 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 - 10

To confirm the minutes of the meeting held on Tuesday 21st December 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 Friday 15th December 2023.

5. PLANNING APPLICATIONS

To consider the applications listed below for planning permission.

- | | | |
|------------|--|---------|
| 6. | P/FUL/2023/02639 - TURKS GARAGE, MARNHULL ROAD, HINTON ST MARY | 11 - 22 |
| | Conversion of garage and MOT bay to 2 no. dwellings | |
| 7. | P/HOU/2023/03822- 2 LONG STREET, CERNE ABBAS | 23 - 36 |
| | Erect two single storey and two first floor extensions to rear. | |
| 8. | P/LBC/2023/03823 - 2 LONG STREET, CERNE ABBAS | 37 - 48 |
| | Erect two single storey and two first floor extension to rear. Alterations internal and external to re-position stairs and renew slate roof covering and install insulation. | |
| 9. | P/HOU/2023/06349 - 10 HERRISON ROAD CHARLTON DOWN | 49 - 58 |
| | Erect infill ground floor extension. Demolish conservatory and erect rear lean-to extension. | |
| 10. | 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. | |
| 11. | 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 x 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.

There are not exempt items scheduled for this meeting.

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 21 NOVEMBER 2023

Present: Cllrs Sherry Jespersen (Chairman), Tim Cook, Brian Heatley, Carole Jones, Val Potheary and Belinda Ridout

Apologies: Cllrs Mary Penfold, Jon Andrews, Les Fry, Stella Jones, Emma Parker and David Taylor

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

Andy Amery (Senior Planning Officer), Jim Bennett (Senior Planning Officer), Ross Cahalane (Lead Project Officer), Philip Crowther (Legal Business Partner - Regulatory), Joshua Kennedy (Apprentice Democratic Services Officer), Steve Savage (Transport Development Liaison Manager), Hannah Smith (Development Management Area Manager, North) and Megan Rochester (Democratic Services Officer).

40. **Absence of Vice-Chairman**

That Cllr Valerie Potheary act as vice-Chairman for the meeting in the absence of Cllr Mary Penfold.

41. **Declarations of Interest**

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

42. **Minutes**

The minutes of the meeting held on Tuesday 24th October were confirmed and signed.

43. **Registration for public speaking and statements**

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.

44. **Planning Applications**

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

45. **P/RES/2023/02376 - West of Shaftesbury Road (Land on Ham Farm), Land South of Gillingham, Shaftesbury Road, Gillingham**

The Case Officer provided members with an update on the Sustainability Statement. With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members with the inclusion of the strategic allocation plan. Photographs of the site location, layout, location plan, outline approved plans and current proposed street scenes were shown. Images of existing site photographs and views from the eastern and western sides of the Principal Street. The Case Officer also discussed the inclusion of a mix of house types, the proposed landscaping, public open space, and the proposed Locally Equipped Area of Play LEAP. The proposed phasing plans as well as both private and visitor parking was also discussed. In addition to this, the loop road, and highways layouts, including traffic calming measures, cycle routes and footways were included in the officer's presentation. Details regarding large refuse and emergency vehicles access was also discussed.

In accordance with the Local Plan, the proposal was acceptable in terms of layout, scale, appearance, and landscaping. The development would not have led to significant harm to residential amenity. Therefore, there were no material considerations which would warrant refusal. The recommendation was to grant.

Public Participation

Mr G Jackson spoke as the agent. He thanked members for allowing him to speak at committee and highlighted the hard work and collaboration with officers. Mr Jackson informed members that they had been working hard to deliver the site due to its importance and sufficient time had been given. Mr Jackson also reiterated to members that the proposal complied with policies and neighbourhood plans and had a lot of benefits. The agent also highlighted the contribution towards the housing mix, affordable housing, open space, and tree planting. He felt as though the site would be a loveable residential environment which contributed to the creation of well-designed homes. He hoped members would support the officer's recommendation.

Members questions and comments

- Reassurance that conditions including traffic calming measures, footways, and cycle paths had been addressed and implemented.
- Questions regarding street lighting strategy for each phase.
- Confirmation on building materials, particularly the use of Render.
- Landscaping and Tree Planting removal. Members questioned whether the amount planted was greater than the amount lost.
- Referred to Section 106 which outlined the Landscaping Plan.
- Clarification on the number of LEAP facilities across the site and pedestrian links to local facilities.
- Confirmation of the sustainability statement, particularly Energy Efficiency Standards.
- Questions regarding the delivery of affordable housing provision.
- Members noted the work which had gone into the development from both officer's and developers.

- Noted the importance of the site to set the tone for future developments and were pleased with the proposal before them.

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** as recommended, was proposed by Cllr Valerie Pothecriy, and seconded by Cllr Belinda Rideout.

Decision: To grant the officer's recommendation for approval.

46. **P/FUL/2022/07360 - Lower Woodbridge Farm, Peaceful Lane, Kings Stag, DT10 2BD**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the site location, proposed site layout plan and existing buildings were included. Members were informed that the proposal was situated within residential and other business units. The officer's presentation included comparisons of the existing and proposed elevations as well as details of the proposed site access. Members were informed that the site was outside flood zones 2 and 3. The key planning issues were also discussed, particularly Highways and parking issues as well as Landscape and Visual impacts. The recommendation was to grant, subject to conditions set out in the officer's report.

Public Participation

The Local Parish Council and Local Ward member addressed the committee. They informed the committee that the site was situated on a peaceful and picturesque lane which was used by walkers regularly. Cllr Hunt informed members that the proposal wasn't a redundant site and had been subject to an increase in traffic movements. She hoped members would consider conditioning working hours and not removing trees or hedging. The Local Ward member discussed concerns from residents regarding the level of traffic and highlighted the number of parking spaces. Cllr Legg felt that there were several issues with the site and approval would encourage industrial space. Both the Parish Council and Local Ward member felt as though further conditions were needed.

Members questions and comments

- Confirmation regarding building materials and colouring.
- Clarification regarding scale of floor space.
- Condition for service and delivery hours.
- Confirmation on impacts to other road users.
- Members were happy to support an application which had good diversification and supported small local businesses.

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**, was proposed by Cllr Belinda Ridout, and seconded by Cllr Valerie Pothecriy, subject to conditions set out in the report and the additional condition of:

Prior to the use hereby approved becoming operational, a servicing and delivery plan shall be submitted to the Local Planning Authority for written approval.

The plan shall include details of:

- The maximum size of vehicles to be used for deliveries and distribution.
- and amenity of the area, the amenity of nearby residential occupiers and having regard to the narrow, single-track width of Peaceful Lane, the grass verges of which are identified as a site of nature conservation interest. The hours during which deliveries to the site and distribution of finished product from the site will take place.
- the routing to and from the site for delivery and distribution vehicles

The use shall be operated strictly in accordance with the approved details.

Decision: To grant the officer's recommendation for approval, subject to conditions set out in the officer's report and the additional condition of the servicing and delivery plan.

47. **P/FUL/2023/05810 - Fairfield Car Park, Fairfield Road, Dorchester**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Aerial photographs of the site location and images of the existing site from different locations were included. Details of the site operations during market days were also provided. Members were informed that the proposal was an enhancement of pedestrian facilities and were shown indicative environmental improvement plans which would introduce biodiversity benefits. The proposal complied with the policies of the Development Plan, therefore, the recommendation was to grant, subject to conditions set out in the officer's report.

Public Participation

Mr C Peck addressed the committee and informed members that the proposal had the objective of creating safer access for pedestrians. The applicant felt as though the proposal had good links to the car park and local town centre. He highlighted that there was still other vehicular access, and the proposal would improve public open space. With the plan for future inclusion of tree planting. Mr Peck felt that the proposal would result in safer access and hoped members would support the officer's recommendation.

Members questions and comments

- Clarification on what traffic enforcements would be enforced.
- Concerns regarding new pedestrian access and crossing.

- Confirmation on cycle route and access.
- Clarification regarding parking restrictions for market traders.
- Reassurance that market traders had been consulted.
- Members praised the scheme and felt as though it was a good enhancement to Dorchester.

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 Carole Jones, and seconded by Cllr Tim Cook.

Decision: To grant the officer's recommendation for approval.

48. **Urgent items**

There were no urgent items.

49. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 2.00 - 4.24 pm

Chairman

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Agenda Item 6

Application Number:	P/FUL/2023/02639		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Turks Garage Marnhull Road Hinton St Mary Dorset DT10 1NG		
Proposal:	Conversion of garage and MOT bay to 2 no. dwellings		
Applicant name:	AJC Group		
Case Officer:	Jennie Roberts		
Ward Member(s):	Cllr C Jones		
Publicity expiry date:	4 August 2023	Officer site visit date:	7 September 2023
Decision due date:	25 August 2023	Ext(s) of time:	
No of Site Notices:	2		
SN displayed reasoning:	On telegraph pole and signpost, either side of site – most logical places for public viewing		

1.0 The application is brought to committee because the officer recommendation is contrary to that of the parish council and at the request of the ward member and chair.

2.0 Summary of recommendation:

Refuse for the following reasons:

- 1 The proposal, by reason of its inappropriate design and materials, would cause less than substantial harm to the setting and character of the conservation area and adjacent Grade II listed building (10 Marnhull Road), with no overriding public benefit. As such, the proposal is contrary to policies 5, 24 and 29 of the North Dorset Local Plan Part 1 (2016) and the National Planning Policy Framework 2023.
- 2 Inadequate private open space has been provided for the proposed rear dwelling, to the detriment of the residential amenity of that dwelling. As such, the proposal is contrary to policy 25 of the North Dorset Local Plan Part 1 (2016) and the National Planning Policy Framework 2023.

3.0 Reason for the recommendation:

- The proposal would lead to less than substantial harm to the setting and character of the conservation area and the adjacent listed building (10 Marnhull Road)
- There is little/no private open space proposed for the rear dwelling, to the detriment of the residential amenity of that dwelling.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of the proposal is considered acceptable
Scale, design, impact on character and appearance	Whilst the scale of the proposal is considered acceptable, the design and materials require amendments
Residential amenity	There is little/no private outdoor space proposed for the rear dwelling, to the detriment of the residential amenity of that dwelling
Impact on landscape or heritage assets	The design of the front dwelling would neither preserve nor enhance the character or appearance of the conservation area or the setting of the adjacent listed building, whilst the proposed cladding for the rear building is uncharacteristic of the conservation area. The proposal would lead to less than substantial harm to heritage assets (conservation area and adjacent listed building)
Highway safety and parking	A parking space would be provided for each dwelling. The Highway Authority raises no objection, subject to conditions
Rights of Way	The proposed development is adjacent to a public right of way and must be kept open and unobstructed throughout the duration of the works
Biodiversity	A NET-approved biodiversity plan has been submitted and its implementation should be conditioned if planning permission is granted

5.0 Description of Site

The site, which currently operates as an MOT garage, is located outside of any defined development boundary (DDB), within the Hinton St. Mary Conservation Area. It sits between two residential properties, including a Grade II Listed thatched

cottage (10 Marnhull Road) to the north. The drive through the site and beyond is an Unclassified County Road, D31614. The site is occupied by two buildings: a main garage building at the front and an MOT bay to the rear. The road-side building comprises an historic stone building with a modern, single-storey, lean-to extension to the front; this lean-to does not contribute positively to the local character and distinctiveness of the area. The large, two-storey-height, pitched-roofed, cement-rendered, rear building has a more agricultural appearance.

6.0 Description of Development

This application proposes the conversion of the buildings to two residential units. The front building is proposed to be converted to a single storey dwelling, using the lean-to extension at the front and the older element to the rear – it is proposed that the mono-pitch roof of the lean-to extension be replaced by a single-ply membrane flat-roof. The rear unit retains the existing footprint and converts the space to a two-storey dwelling part-clad in timber. A modest garden area is positioned to the rear of the front building, with a small area of planting to the front and a very small area of planting is provided in front of the rear dwelling. A car parking space for each of the units is proposed.

7.0 Relevant Planning History

In 2020, the applicants sought pre-application advice regarding re-use of the site for residential purposes. The proposed scheme submitted as part of that enquiry was significantly different to that which is proposed in this current planning application and did not meet the policy requirements of the North Dorset Local Plan Part 1 (2016). Advice was given, broadly setting out what might be considered acceptable; however, no further plans were submitted for comment prior to this application being made:

PRE/2020/0030/PREAPP - Pre-Application consultation: Conversion of Turks Garage and the MOT bay into two residential dwellings.

8.0 List of Constraints

Grade: II Listed Building: 10, MARNHULL ROAD (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

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

Outside settlement boundaries (countryside)

PROW - Right of Way: Footpath N42/21

Right of Way: Footpath N42/13EA

Risk of Groundwater Emergence; Groundwater levels are between 0.5m and 5m below the ground surface.; There is a risk of flooding to subsurface assets, but surface manifestation of groundwater is unlikely

Site of Special Scientific Interest (SSSI) impact risk zone

9.0 Consultations

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

Consultees

1. **DC - Rights of Way Officer:** Information provided for applicant
2. **DC – Highways:** No objection, subject to conditions
3. **DC - Dorset Waste Team:** No comments received
4. **DC - Conservation Officers:** Less than substantial harm to setting and character of conservation area and adjacent listed building – more appropriate design and materials required
5. **DC - Building Control North Team:** Fire Brigade access should be in compliance with Approved Document B5 Section 13
6. **Hinton St Mary Parish Council:** Support - garage has been decaying for years; the design, based around existing structures will enhance conservation area. Design converts existing structures and retains silhouette of property that has stood for decades - a great solution. This part of Hinton St Mary has a mix of properties from different periods.
7. **Ward Member - Sturminster Newton Ward:** No comments received
8. **Ramblers Association:** Public rights of way need to be kept open and available for use throughout the development process and subsequently

Representations received

One representation has been received, as follows:

- Support – provision of housing, aesthetically pleasing, makes good use of a future derelict site using extant buildings

Total - Objections	Total - No Objections	Total - Comments
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10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 requires that in considering whether to grant planning permission, special regard is to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

Development Plan

Adopted North Dorset Local Plan:

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

- Policy 1 - Presumption in Favour of Sustainable Development
- Policy 23 - Parking
- Policy 24 - Design
- Policy 25 - Amenity
- Policy 4 - The Natural Environment
- Policy 5 - The Historic Environment
- Policy 20 - The Countryside
- Policy 29 - The Re-Use of Existing Buildings in the Countryside

Material Considerations

Emerging Dorset Council Local Plan:

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

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

- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

National Planning Policy Framework:

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 78-79 reflecting the requirement for development in rural areas.
- 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). Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

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. Officers are not aware of any specific impact on persons with protected characteristics.

14.0 Financial benefits

What	Amount / value
Material Considerations	
Employment created during conversion stage	The proposal will support local jobs in the construction sector and will bring about 'added value' in the local area through associated spending and economic activity.
Spending in local economy by residents of proposed dwellings	The proposal will support the local economy, providing housing required to support the long-term economic growth in the area with new residents spending on goods and services as they move in.
Non Material Considerations	
Contributions to Council Tax Revenue	According to the appropriate charging bands

15.0 Environmental Implications

The proposed conversion would need to be carried out in accordance with modern Building Regulations.

16.0 Planning Assessment

Principle of development

Policy 29 of the North Dorset Local Plan Part 1 (2016) supports the reuse of existing buildings in the countryside for residential purposes subject to several criteria. One requirement is that the buildings are of sound construction and are not derelict; in this instance the submitted structural report confirms that the rear building is of sound construction and the front building, although in need of some careful attention, is capable of conversion. Criterion f requires the redundant or disused status of the building to be confirmed prior to the granting of any planning permission. In this case, the agent has stated that the current owners are unable to run the business anymore; evidence has been provided to demonstrate the site has been marketed robustly that there has been no interest from anybody in taking it on. Overall, it is considered that the proposal is in accordance with Policy 29, and the principle of the development is acceptable.

Scale, design, impact on heritage assets

Whilst the main garage (to the front of the site) in its present state does not contribute positively to the local character and distinctiveness of the Conservation Area, nor the setting of the listed building, neither does the current proposal for its conversion. The listed building is a stone-built cottage under a thatched roof, which is typical of a simple cottage in the small Dorset villages. By contrast, the evidently modern, flat roofed frontage to the proposed dwelling negatively affects views to the cottage, and through the Conservation Area, by being an overtly incongruous feature

in this row of houses. It is notable that the rear of the garage is most probably contemporary with the listed building, and the removal of the flat roofed extension would better reveal the attached building behind and restore the historic setting of the listed building. It is considered that the proposal to convert the main garage to the front would lead to greater harm to the setting of the adjacent building and the character and appearance of the Conservation Area. This is because the existing garage is utilitarian, serving the function of the employment use, whereas the proposed dwelling with its plastic windows would be more at odds with the prevailing historic character of this part of the Conservation Area, where dwellings are generally set back from the road.

The proposed conversion of the rear building (that is currently used as an MOT bay), is considered to be acceptable in principle as it is set back away from the street frontage and has a more agricultural character. However, the proposed cladding of the building with timber, which is not a key characteristic of the Conservation Area, is considered to be unacceptable.

The Council's specialist conservation officer does not support the proposal in its current form, considering that, for the reasons set out above, it would lead to less than substantial harm to the setting and character of the Conservation Area and the listed building. This is contrary to the Planning (Listed Buildings and Conservation Area) Act 1990 and Section 16 of the NPPF.

In terms of the public benefits to be weighed against the harm to the Conservation Area and the setting of the Listed Building, the conversion of the buildings into two dwellings would provide a boost to the supply of housing within the Local Plan area. Furthermore, there would be economic and social benefits to the area during construction of the dwellings and in their subsequent occupation. However, as only two additional dwellings would be provided, within a Council area that can demonstrate a 5 year supply of housing land, the cumulative benefits of the proposal are considered to have only limited weight. The NPPF advises that any harm to the significance of a designated heritage asset should require clear and convincing justification and that great weight should be given to the asset's conservation, irrespective of the potential harm to the significance. Since the public benefits of the proposal are considered to have limited weight, these would not outweigh the less than substantial harm to the Conservation Area and the setting of the adjacent Listed Building, which in accordance with the framework is required to be attributed great weight.

Residential amenity

Policy 25 of the Local Plan relates to the amenity of residential properties. Not only should new development not have an adverse impact on the enjoyment of privately or publicly owned land, the amenity of potential occupiers of new development should not be compromised.

It is considered that the proposed dwellings would not unacceptably overlook each other, nor neighbouring properties. The proposal does not see an increase in massing of the existing buildings, and it is considered that they would not be overbearing upon neighbouring properties.

Policy 25 also sets out that private open space is needed both to meet basic operational requirements (such as refuse storage and clothes drying) and for the private enjoyment of the property. A small rear garden has been provided for the proposed front dwelling, together with an area of planting to the front. In respect of the proposed rear dwelling, a small area of planting (4.6m x 2.6m) has been provided in front of it. This is shown to have a tree planted in the middle of it, meaning there would be very limited, if any, space for occupants of the dwelling to both meet basic operational requirements and to use for their private enjoyment, as required by Policy 25. Furthermore, the plans do not indicate where refuse and recycling bins will be stored. Whilst the proposals are generally considered to provide an acceptable level of residential amenity for the proposed conversion, the limited/absent private outdoor space for the rear dwelling is considered unacceptable, in conflict with the requirements of Policy 25.

Highway safety and parking

A parking space would be provided for each dwelling. The Highway Authority raises no objection, subject to conditions and informatives relating to the construction of the vehicular access; construction of the turning/manoeuvring and parking area; provision of cycle parking facilities; submission of a construction method statement and an informative relating to electric vehicle charging facilities. The proposal would comply with policy 23 of the Local Plan.

Rights of Way

The proposed works are in the vicinity of the above public right of way, as recorded on the County Definitive Map and Statement of rights of way. The Rights of Way team has no objection to the proposed development, so long as throughout the duration of the development the full width of the public footpath remains open and available to the public, with no materials or vehicles stored on the route.

The drive through the development and beyond is an Unclassified County Road, D31614 – Greenway Lane, and must also be unobstructed (unless a temporary closure being applied for). The Rights of Way team points out that the use of this footpath by vehicular traffic without lawful authority is an offence contrary to the Road Traffic Act 1988. Further information has been provided for the applicants, and in the event of a grant of planning permission, an informative relating to this should be included in the decision notice.

Biodiversity

A Natural Environment Team-approved Biodiversity Plan has been submitted with the application, and in the event the committee is minded to approve this application, a condition requiring its implementation should be attached to the planning permission.

17.0 Conclusion

The principle of the proposed development is considered acceptable; however, the current proposed design and materials are considered inappropriate and would cause less than substantial harm to the setting and character of the conservation area and adjacent listed building, with no overriding public benefits. Furthermore, the proposed outdoor amenity space for the rear unit is inadequate. As such, it is recommended that the application is refused.

18.0 Recommendation

Refuse for the following reasons:

1. The proposal, by reason of its inappropriate design and materials, would cause less than substantial harm to the character and appearance of the conservation area and adjacent listed building, with no overriding public benefit. As such, the proposal is contrary to policies 5, 24 and 29 of the North Dorset Local Plan Part 1 (2016) and the National Planning Policy Framework 2023.
2. Inadequate private open space has been provided for the proposed rear dwelling, to the detriment of the residential amenity of that dwelling. As such, the proposal is contrary to policy 25 of the North Dorset Local Plan Part 1 (2016) and the National Planning Policy Framework 2023.

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Agenda Item 7

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

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

2.0 Summary of recommendation:

REFUSE for the following reason:

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

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

3.0 Reason for the recommendation:

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

4.0 Key planning issues

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

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

5.0 Description of Site

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

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

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

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

6.0 Description of Development

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

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

7.0 Relevant Planning History

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

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

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

Demolish existing garage and erect new garage

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

Demolish existing garage and erect new garage

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

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

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

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

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

Repairs and alterations to dwelling

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

T1 Ash - Fell

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

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

T4 Oak - Fell

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

T6 Bay - Fell

H1 Mixed Hedge - Remove

8.0 List of Constraints

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

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

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

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

CON - CERN, Cerne Abbas Conservation Area

LP - ENV 4; Listed Building; NULL

LP - SUS5; Made Neighbourhood Development Plans; Cerne Valley

LP - SUS2; Defined Development Boundary; Cerne Abbas

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

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

LP - ENV 9; Groundwater Source Protection Areas; NULL

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

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

LP - Boundary; West Dorset District Boundary; West Dorset

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

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

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

DESI - Nutrient Catchment Areas

NELA - Dorset

PAR - Cerne Abbas CP

WARD - Chalk Valleys Ward

PROW - Right of Way: Footpath S13/30

WW - Wessex Water: High Risk of Foul Sewer Inundation

EA - Risk of Surface Water Flooding Extent 1 in 30

EA - Risk of Surface Water Flooding Extent 1 in 100

EA - Risk of Surface Water Flooding Extent 1 in 1000

EA - Groundwater – Susceptibility to flooding; NULL; NULL

EA - EA - Groundwater Warning Zones 2019

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

DESI - Higher Potential ecological network

DESI - Wildlife Present: bat

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

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

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

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

EA - Main River Consultation Zone

FLD - Flood Zone 3 (record ID)

FLD - Flood Zone 2 (record ID)

EA - Poole Harbour Catchment Area

EA - Groundwater Source Protection Zone

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

Within defined development boundary of Cerne Abbas.

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

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

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

Right of Way: Footpath S13/30

9.0 Consultations

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

Consultees

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

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

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

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

6. DC Conservation Officer Objection:

Kitchen extension

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

Garden room

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

First-floor Extensions

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

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

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

Representations received

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

1 letter of support was received.

- Support the proposal.

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

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

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 requires that in considering whether to planning permission, special regard is to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

Development Plan

Adopted West Dorset and Weymouth & Portland Local Plan:

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

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

Made Neighbourhood Plans:

Cerne Valley Neighbourhood Plan:

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

Material Considerations

National Planning Policy Framework:

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way.

They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- Section 12. Achieving well designed places:
Para 130. Planning policies and decisions should ensure that developments:
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- Section 14. Meeting the challenge of climate change, flooding and coastal change:
Para 167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
Para 168. Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 55.
- Section 15. Conserving and enhancing the natural environment:
Para 176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.
- Section 16. Conserving and enhancing the historic environment:
Para 199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
Para 202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
Para 206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive

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

Supplementary Planning Document/Guidance

All of Dorset:

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

It is considered that the application would not materially affect people with protected characteristics and in particular those with impaired mobility.

14.0 Planning Assessment

Principle of development

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

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

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

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

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

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

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

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

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

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

Impact on other heritage assets

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

Impact on amenity

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

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

Flood Risk

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

Rights of Way

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

Impact on landscape

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

15.0 Conclusion

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

16.0 Recommendation REFUSE

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

Agenda Item 8

Application Number:	P/LBC/2023/03823		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	2 Long Street Cerne Abbas DT2 7JF		
Proposal:	Erect two single storey and two first floor extension to rear. Alterations internal and external to re-position stairs and renew slate roof covering and install insulation.		
Applicant name:	Karen Malim and Richard Gueterbock		
Case Officer:	Nicholas Batten		
Ward Member(s):	Cllr Haynes		
Publicity expiry date:	18 August 2023	Officer site visit date:	Planning officer visited the site on the 28 September 2023, and site notice photographs were received from the applicant/agent on the 24 July 2023.
Decision due date:	8 September 2023	Ext(s) of time:	
No of Site Notices:	1		
SN displayed reasoning:	Site notice displayed on the front gate adjacent to the highway.		

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

2.0 Summary of recommendation:

REFUSE for the following reasons:

- The proposal enlarges the listed building on the ground floor and the first floor and the extent and scale of the extensions would fail to conserve or enhance the significance of the building. The listed building has already been altered and extended, and the external alterations to 2 Long Street would cause less than

substantial harm to the character, original plan form, symmetry, setting and significance of the heritage asset, Holly Lodge a grade II listed building, which is listed as 2 and 4 Long Street, with no overriding public benefit. The proposal is contrary to Policy ENV4 of the adopted Local Plan, the National Planning Policy Framework paragraphs 199, 202 and 206 and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- The internal alterations fail to respect the original plan form and the relocation of the stairs will cause harm to the historic fabric of the building. This will have a detrimental effect on the architectural and historical significance of the listed building. This harm is considered to be less than substantial to the significance of the listed building, to which there is no overriding public benefit, as the optimum viable use is attainable without such alterations. The proposal is contrary to Policy ENV4 of the adopted Local Plan, the National Planning Policy Framework paragraphs 199 and 202 and Section 16 of the Planning (Listed Buildings and Conservation Areas Act) 1990.

3.0 Reason for the recommendation:

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

4.0 Key planning issues

Issue	Conclusion
Impacts on heritage assets	The proposal leads to less than substantial harm to the designated heritage asset, Holly Lodge, this harm is not offset by the public benefits of the proposal, and the alterations/extensions would not contribute positively to the asset’s conservation, harming the historic fabric, character, original plan form and significance.

	The proposal is not considered to harm the nearby listed buildings or the Cerne Abbas Conservation Area.
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5.0 Description of Site

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

The building is grade II listed and 4 Long Street adjoins 6 Long Street, which is also grade II listed. On the other side of the highway facing the applicants building is 1 Long Street a grade II listed building, and there are a number of other listed buildings within the locality. The site is close to the historic centre of Cerne Abbas and is within the Cerne Abbas Conservation Area.

6.0 Description of Development

The proposed development is to 2 Long Street only and consists of single storey extensions to the rear to extend the kitchen, with the door and window repositioned, and a side extension to extend an existing lean-to. First floor extensions are a flat roof extension above the existing flat roof on the ground floor to provide a landing, and an extension above the single storey lean-to to form a two storey end gable. Other internal alterations include the removal of stud walls, relocation of the stairs and doors repositioned and unblocked. Work is proposed to restore the chimney fireplaces and to replace the front door.

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

7.0 Relevant Planning History

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

Repairs and alterations to dwelling

8.0 List of Constraints

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

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

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

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

Within defined development boundary of Cerne Abbas.

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

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

9.0 Consultations

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

Consultees

- 1. Ward Member - Chalk Valleys Ward** - This property has been empty for many years and is in a very run down condition. It was difficult to sell due to the steepness of the stairs, which are unsafe. The new owners would like a three bed home, and English Heritage as written in the consultation response have no objections. The Parish Council request that the proposal is dealt with by the Dorset Council officers as significant matters need to be addressed, and as the Conservation Officer has an opposing view to the English Heritage consultation, this proposal should be decided at planning committee. Empty properties should be occupied.
- 2. DC - Rights of Way Officer** – No comments received.
- 3. Cerne Abbas Parish Council** - Defer to the listed building officer.
- 4. Ramblers Association** – No comments received.
- 5. Historic England** – Requested further information to demonstrate the claims of the heritage statement.
- 6. National Amenity Societies** – No comments received.
- 7. DC – Conservation Officers** – The proposals will result in the following impacts on the significance of identified heritage assets:

Ground-floor

Remove staircase and reposition in the front room. The proposal is not to place the staircase back in the position of the original staircase but in the adjacent front room. Whilst further evidence has been submitted showing that the existing staircase is not in the position of the original staircase, further concerns remain when taking into account the different phases of construction of the house along with its overall character and architectural merit. The staircase was likely located in its current position when the rear room was constructed in the mid-19th century, giving the two front rooms a reception/public character. When the rear extensions were added throughout the 19th century, the character of the original two-up two-down town house was changed, leaving the front rooms free of any utilitarian features.

Moving the staircase back in one of the front rooms, and not in its original position, would completely change the hierarchy and character of these rooms as created in the mid-19th century. It will also alter the entire circulation of the house. As such, the relocation in a new position will impact on the character of the front rooms and therefore on the significance of the house, leading to harm to the listed building.

As mentioned in the Heritage Statement, the staircase is significant of the Georgian vernacular building by its style with a mahogany handrail, and by its steep straight lift. Whilst this may not have been the original staircase, it does hold some level of architectural significance. The handrail is very steep and is therefore an indication that it was purposely built for such a steep staircase. Whilst it is proposed for the handrail to be reused, it is difficult to see how it would fit a new staircase, unless it is built as steep as the existing one. Unfortunately, removing the staircase and placing it in the proposed location would lead to harm to the historic fabric, character of the house and planform. The harm caused in this case would be greater than any benefits. Please note that existing building, and their internal features are not required to be brought up to newer building regulations standards.

Whilst some elements of the pre-application advice have been followed (removal of the first floor extension for a new bedroom), some others have been added (new first-floor extensions for a corridor and a bathroom) or have remained (relocation of the staircase).

Relocation of bathroom

The proposed bathroom will require an external wall of the original house to be partly removed which will lead to loss of historic fabric. This is not acceptable, and no clear justifications can be found.

As such, the overall proposal will lead to harm to the character and historic fabric of the listed building. No overriding public benefit can be found to outweigh the harm and this application cannot be supported.

8. Historic England – Historic England were re-consulted on the submission of further information on the 6 September 2023 and commented as follows:

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

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

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

Representations received

Total - Objections	Total - No Objections	Total - Comments
0	10	

10 letters of support were received containing the following summarised points:

- The property has remained unoccupied for several years, with interested buyers concerned on the safety of the staircase. It is narrow, vertiginous, and has little natural light. It has no historic value, moving it, contrary to the Conservation view, would benefit all and everyone who enter the house. There is no external change involved in the movement of the staircase. Many of us in the village are conscious of our building heritage, caring for the buildings as best as possible involves being able to live practically and safely.
- The alterations would enhance the street scene, the property has evolved over the years and these additions would make it fit for modern living.
- The current staircase is discriminatory under the Equalities Act and does not meet building regulations standards.

- Historic buildings can only survive and benefit the environment if flexibility is incorporated to take account of the realities of modern living.
- The relocation of the staircase will not affect the architectural and historic value of the house, given that the staircase has already been moved. It is not necessary for the listed building consent system to preserve every internal detail of residential buildings.
- Support the re-rendering, removal of external cables, replacement of front door and the roof and staircase need repair.
- The proposals enhance the property in accordance of the aims as well as the detail of the Neighbourhood Plan, without approval the property is unlikely to be suitable for the applicants, and the building is at risk of further unsightly deterioration.

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.

11.0 Relevant Policies

Adopted West Dorset and Weymouth & Portland Local Plan:

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

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV4 - Heritage assets

Made Neighbourhood Plans:

Cerne Valley Neighbourhood Plan:

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

National Planning Policy Framework:

National Planning Policy Framework in particular section 16, paras. 194-208

- Section 16. Conserving and enhancing the historic environment:
Para 199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the

asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Para 202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Para 206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

National Planning Practice Guidance

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 16 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.

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. It is considered that the application would not materially affect people with protected characteristics and in particular those with impaired mobility.

14.0 Planning Assessment

Impact on heritage asset

The proposal is considered to lead to less than substantial harm to the significance of the grade II listed building – no. 2 Long Street. The building has already been extended and enlarged; this includes relatively modern ground floor extensions to the rear of the house to form a flat roof extension and a lean-to. The first-floor extensions above the flat roof extension to form a box room, landing and the end gable extension, would not respect the character and original plan form of the listed building, and when considering the previous extensions, the bulk and symmetry of the building is significantly adversely affected harming the setting and significance of the listed building.

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

Conservation have concerns regarding the internal alterations to relocate the staircase and to the proposed first floor alterations.

Conservation provided the following consultation response:

Pre-application advice suggested the staircase revert back to the position of the original staircase. The application does not follow this advice, with the staircase proposed in the adjacent front room. Whilst further evidence has been submitted showing that the existing staircase is not in the position of the original staircase, concern remains when taking into account the different phases of construction of the house along with its overall character and architectural merit. The staircase was likely located in its current position when the rear room was constructed, giving the two front rooms a reception/public character. When the rear extensions were added, the character of the original two-up two-down town house was changed, leaving the front rooms free of any utilitarian features. Moving the staircase back into one of the front rooms and not its original position, would completely change the hierarchy and character of these rooms as created in the mid-19th century. It will also alter the entire circulation of the house. As such, the proposed relocation will impact on the character of the front rooms and on the significance of the house, leading to harm to

the listed building. The staircase is significant of the Georgian vernacular building by its style with a mahogany handrail, and by its steep straight lift. Whilst this may not have been the original staircase, it does hold some level of architectural significance. The handrail is very steep and is therefore an indication that it was purposely built for such a steep staircase. Removing the staircase and placing it in the proposed location would lead to harm to the historic fabric, character of the house and planform. The harm caused in this case would be greater than any benefits. Conservation advise that that listed buildings and their internal features are not required to be brought up to modern building regulations standards, in order to preserve their special interest.

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

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

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

In assessment of the less than substantial harm to the significance of the heritage asset, there would be limited public benefit through the rearrangement of the dwelling to make it more accessible, but this benefit is not outweighed by the harm to the asset. The current house is liveable and optimum viable use is possible in its

current form, therefore it is not considered that the works are required to secure the optimum viable use of the building, with regards to paragraph 202 of the NPPF.

Impact on other heritage assets

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

15.0 Conclusion

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

16.0 Recommendation: Refuse

1. The proposal enlarges the listed building and the extent and scale of the first floor extensions would fail to conserve or enhance the significance of the building. The listed building has already been altered and extended, and the external alterations to 2 Long Street would cause less than substantial harm to the character, original plan form, symmetry, setting and significance of the heritage asset, with no overriding public benefit. The proposal is contrary to Policy ENV4 of the adopted Local Plan, the National Planning Policy Framework paragraphs 199, 202 and 206 and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The internal alterations including the relocation of the stairs fail to respect the original plan form and will cause harm to the historic fabric of the building, to the detriment of the architectural and historical significance of the listed building. This harm is considered to be less than substantial to the significance of the listed building, for which there is no overriding public benefit, as the optimum viable use is attainable without such alterations. The proposal is contrary to Policy ENV4 of the adopted Local Plan, the National Planning Policy Framework paragraphs 199 and 202 and Section 16 of the Planning (Listed Buildings and Conservation Areas Act) 1990.

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

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

2.0 Summary of recommendation:

GRANT subject to conditions

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

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

4.0 Key planning issues

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

5.0 Description of Site

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

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

6.0 Description of Development

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

7.0 Relevant Planning History

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

Erect single storey extension & associated landscaping works

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

Erect 1st floor extension

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

Replace conservatory with single storey extension

8.0 List of Constraints

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

Charminster Conservation Area - Distance: 60.62

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

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

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

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

Higher Potential ecological network - Distance: 0

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

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

Groundwater Source Protection Zone - Distance: 0

9.0 Consultations

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

Consultees

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

Representations received

None

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

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990- Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

Development Plan Policies

Adopted West Dorset and Weymouth & Portland Local Plan:

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

- INT1 - Presumption in favour of Sustainable Development
- ENV10 - The landscape and townscape setting
- ENV12 - The design and positioning of buildings
- ENV16 - Amenity
- ENV 13 - Achieving High Levels of Environmental Performance
- SUS2 - Distribution of Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 – Wildlife and Habitats
- ENV3 - Green Infrastructure Network
- ENV4 - Heritage assets
- HOUS6 - Other residential development outside DDB's

Material Considerations

Emerging Dorset Council Local Plan:

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

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

National Planning Policy Framework:

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 176). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 173). Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to

substantial harm, total loss or less than substantial harm to its significance (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

National Planning Practice Guidance

Design: process and tools 01 October 2019 Guidance

Historic environment 23 July 2019 Guidance

Other Material Considerations

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

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

Policy (h) Maintain and enhance local character

Policy (i) Create high quality architecture

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

Important Building Groups:

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

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics

- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

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

14.0 Financial benefits

None

15.0 Environmental Implications

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

16.0 Planning Assessment

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

Principle of development

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

Impact on neighbouring amenity

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

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

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

Scale, design and impact on visual amenity

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

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

Impact on heritage assets and character of the area

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

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

Impact on protected species

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

Other matters

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

17.0 Conclusion

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

18.0 Recommendation

GRANT of planning permission subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
2023/19/02 Proposed Elevations/Floor/Block Plans

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

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

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

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

Reason: To enhance or protect biodiversity.

Informative Notes:

1. The net gain biodiversity measures required by condition 4 should accord with best practice guidance published on the Council's website https://www.dorsetcouncil.gov.uk/w/species-and-habitat-advice-notes-and-guidance-sheets?p_l_back_url=%2Fsearch%3Fq%3Dspecies%2Band%2Badvice%2Bsheets
2. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.