



Northern Area Planning Committee

Date: Tuesday, 8 July 2025
Time: 10.00 am
Venue: Stour Hall - The Exchange, Old Market Hill, Sturminster Newton, DT10 1FH

Members (Quorum: 6)

Richard Crabb (Chair), David Taylor (Vice-Chair), Alex Brenton, Barrie Cooper, Les Fry, Sherry Jespersen, Carole Jones, Rory Major, Val Potheary, Belinda Ridout, James Vitali and Carl Woode

Interim Chief Executive: Sam Crowe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services
Meeting Contact 01305 224877 - john.miles@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. If you would like to attend this meeting and have any specific requirements please contact the Democratic Services Officer named above.

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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 27th May 2025.
- 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 4th July 2025.
- 5. P/FUL/2024/04528, GARAGES AT WINGFIELD ROAD, SHERBORNE, DT9 3HH** 11 - 28
- Demolition of existing garage block and redevelopment with two dwellings including landscaping and associated works.
- 6. P/FUL/2023/01247, 10 HIGH EAST STREET, DORCHESTER, DT1 1HS** 29 - 50
- Erect first floor extension to provide 1 No. unit of residential accommodation.
- 7. P/LBC/2023/01251, 10 HIGH EAST STREET, DORCHESTER, DT1 1HS** 51 - 60
- Erect first floor extension to provide 1 No. unit of residential accommodation.
- 8. P/HOU/2024/06120, SUNNYDALE, WHITE LACKINGTON, PIDDLETRENTHIDE DT2 7QU** 61 - 70
- Demolish store and erect a two Bay Garage / Workshop.
- 9. 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.
- 10. EXEMPT BUSINESS**
- There are no exempt items scheduled for this meeting.**

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 27 MAY 2025

Present: Cllrs Richard Crabb (Chair), David Taylor (Vice-Chair), Barrie Cooper, Les Fry, Carole Jones, Rory Major, Val Potheary, Belinda Ridout, James Vitali and Carl Woode.

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

Lara Altree (Senior Lawyer - Regulatory), Hannah Smith (Development Management Area Manager (North)), Kathryn Melhuish (Conservation and Design Team Leader), Alex Skidmore, John Miles (Democratic Services Officer) and Megan Rochester (Senior Democratic Services Officer).

66. Apologies

Apologies for absence were received from Cllrs Sherry Jespersen.

67. Declarations of Interest

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

68. Minutes

The minutes of the meeting held on 22nd April 2025 were confirmed and signed.

69. 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.

70. P/LBC/2025/01068, Benville Bridge, Benville Lane, Corsecombe, Rampisham, Dorset.

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. Benville Bridge was a grade II listed structure, built in the early 19th century and contributes to the local historical landscape. The proposal sought to repair the bridge's structure through repointing, brick repair, crack stitching and a scour/relay of the road surface over the span. There would be little change to the existing character and appearance of the bridge and the repairs would help to preserve and protect the listed structure and ensure it is fit for purpose.

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 Les Fry, and seconded by Cllr David Taylor.

Decision: To grant planning permission *with conditions* for the reasons set out in the officer's report and in the appendix.

71. **P/RES/2024/07321, Land At E 377825 N 113305, A357 Access to Woodlands Farm to Glue Hill, Rolls Mill, Sturminster Newton.**

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 constraints in the area, the proposed site and road layout were shown. There would be a robust planting scheme, retaining most of the hedge rows and a mix of larger and smaller trees. The application was for reserved matters following the grant of Outline Planning Permission, and the committee would only consider appearance, landscaping, layout and scale. There would be 40% affordable housing and 13% of which affordable rent. The materials on the site reflect the local area with a mix of slate tiles.

Public Participation

Mr Mason spoke against the application and explained that residents of Sturminster Newton did not hold any animosity towards the applicants. He said there was a lack of due process, transparency and the decision was controversial and there were multiple reasons why the outline application could be challenged at this late stage. He added that there were clear breaches to process and procedure and there was a failure to recognise the scale and impact on the hamlet of Sturminster Newton. He informed that there was a lack of proactive and inclusive engagement with the community. There was disregard for the policies and protections and a significant level of local objections that the local people should have been aware of in the first place.

Ms Lewis spoke against the application and raised concerns about the Council's neglect of professional and statutory duty to not have its local plan in place. She urged members to hasten their pace of work on this and to put it in place much sooner than the present target date of May 2027. She questioned the validity and integrity of work of the officer decision to approve the outline planning permission as the decision for members to delegate the decision was made out of the blue and with no explanation. She asked members to revisit the outline planning permission decision and afford it a proper democratic process. She added that the layout was inappropriate and notably the spacing of the proposed housing estate and the external appearance of the properties.

Ms Wardell spoke against the application and was a part of the Ramblers Dorset Area Footpath Secretary. She spoke about what the Ramblers do, which is to help everyone enjoy the pleasures and benefits of walking and to enhance and protect the places where people walk. She referenced DEFRA Circular 1/09 section 7

advice to local authorities on recording, managing and maintaining, protecting and changing public rights of way. She raised concerns about the diversion of footpath N53/46 and that the proposed route of the diverted path is predominately along estate roads/footways. She submitted that there was an alternative option which would run north from the access point in the south of the development, then head west between dwellings 23 and 27, to the perimeter green buffer zone shown on the coloured site layout, then north along that to the access point. The Senior Ranger has also stated that "The diverted PRow should not follow the estate footways, but through the perimeter 'buffer zone'".

Mr Bullock (Agent Associate Partner (Planning)) spoke in support of the application. He explained that the site already benefitted from outline planning permission and therefore the principle of residential development of up to 48 dwellings alongside the position and form of the access has been fixed. He highlighted that the Cllrs decision today was on matters reserved namely appearance, layout, landscaping and scale only. The site provides 40% affordable housing which equates to 19 units positioned within an attractive and well considered site where the affordable housing is tenure blind. He highlighted why this application and decision mattered as the affordable Housing Need across Dorset has increased to 3,219 homes per year. This is over 100% more dwellings than the average number of homes delivered in Dorset every year since 2001 at around 1,600 dwellings. These figures are Dorset specific and are people who live in the communities that Cllrs represent.

Cllr Donaldson informed that he thought it was disappointing that the developers were not able to put the roads into an adoptable state, and he would have preferred to see the roads adopted. It had been suggested that any tree work not protected by TPO and works permission would need to be accepted by a Dorset Council officer. He would like to see Dorset Council tree officers to be spoken to before any tree works and the planting of trees to avoid any damage to buildings and roads. He expressed concerns about traffic management on the main road and about the access and possibility of light shining into nearby buildings. He had concerns about the lack of a continuous footpath on the southern side and would like to see some sort of bollard at the bottom of the hill to prevent high speed traffic.

The meeting was adjourned at 11:55 and resumed at 12:02.

The Senior Lawyer reminded the Committee that the Planning Committee was not a public meeting but a meeting to which the public was invited, all attendees must comply with the ruling of the Chair and must not interrupt the meeting or cause undue disturbance. Members of the public were given the opportunity to make representations and register to speak at the Committee in accordance with the proper process.

Members questions and comments

- **Cllr Jones asked questions about the layout of development and landscaping.**
- **Cllr Potheary queried about the footpath alteration and was concerned about painted brick. She added that materials should be good quality.**

- Cllr Taylor asked how the footpath access was being kept open and about tree protection orders for the existing trees on the site. He raised concerns about dark skies in the area.
- Cllr Ridout commented that there was no stone as material and that painted brick did not look right and how visible would this be in the landscape. She said that there was an absence of chimneys which would add some character to the application.

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 Potheary, and seconded by Cllr Vitali

An amendment was made to condition 6 set out below:

6. The development hereby approved shall be completed in accordance with the submitted Biodiversity Plan (BP) prepared by GE Consulting (signed and certified by Dorset Council 20/05/2025).

Reason: To mitigate impacts on ecology and provide enhancements biodiversity.

Condition 10 was added by the Committee subject to granting the application:

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no increase in height or enlargement(s) to the roofs of the dwellinghouses, referred to as Plots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 18, 19, 20, 21, 22, 23, 24 and 25 on the approved plans hereby approved, as permitted by Class A, Class AA, and Class B of Schedule 2 Part 1 of the 2015 Order (as amended), shall be erected or constructed.

Reason: To protect the rural, edge of settlement character of the locality.

Decision: To grant planning permission with conditions for the reasons set out in the officer's report and in the appendix.

Informative note footpaths:

The applicant's attention is drawn to the comments provided by Dorset Council's Senior Ranger in respect of this application and in particular the need for the footpath crossing the application site to be diverted by legal order and for that order to be confirmed before any works obstructing the path are commenced. The applicant should acquaint themselves with the full comments made which are available to view on the Online Planning Register at <https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=410861>.

72. Urgent items

There were no urgent items.

73. Exempt Business

There was no exempt business.

Duration of meeting: 10.00 - 11.30 am

Chairman

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Application Number:	P/FUL/2024/04528
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Garages at Wingfield Road Sherborne DT9 3HH
Proposal:	Demolition of existing garage block and redevelopment with two dwellings including landscaping and associated works.
Applicant name:	D. O. Stewart Limited
Case Officer:	Jennie Roberts
Ward Member(s):	Cllr Crabb

1. Reason application is referred under Scheme of Delegation protocol:

The Town Council has objected to the proposed development

2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report

3. Key planning issues

Issue	Conclusion
Principle of development	The site is located in a sustainable location, within the defined development boundary of Sherborne. The principle of new residential development is acceptable in this location.
Scale, design, impact on character and appearance	The proposed scale and design of the development would have an acceptable impact upon the character and appearance of the surrounding area.
Impact on the living conditions of the occupants and neighbouring properties	The proposal would have an acceptable impact on the residential amenity of nearby properties. It would also provide an acceptable level of residential amenity for the proposed dwellings themselves.
Impact on heritage assets	The proposed development would preserve the character and appearance of the setting of the adjacent conservation area.
Flood risk and drainage	The site is at low risk of flooding and a pre-commencement condition requiring details of the proposed surface water drainage scheme will be attached.

Issue	Conclusion
Highway impacts, safety, access and parking	The proposal would have an acceptable impact in relation to highway safety, access and parking provision.
Biodiversity	Whilst the site falls below the threshold for Biodiversity Net Gain, the proposed development will result in a net gain in biodiversity – the recommended mitigation, compensation and enhancement measures set out in the submitted Ecological Impact Assessment will be secured by condition.
Nutrient Neutrality	In order to address the Somerset Levels and Moors SPA and Ramsar being in an unfavourable condition it is necessary to provide mitigation. In this case, the applicants have reserved P Credits from Woodrow Farm P Credits Scheme. This ensures that the proposals would not adversely affect the protected area; the requirement to purchase these credits will be secured by pre-commencement condition.

4. Description of site

The site, which is accessed off Wingfield Road, is located within the defined development boundary (DDB) of Sherborne. It lies outside, but adjacent to, the Sherborne Conservation Area, and there are no listed buildings in its vicinity. The site is currently occupied by a private garage block, comprising 48 privately rented garages, over two blocks, running west to east either side of a central concrete/tarmac/gravel access track. The units are privately rented and not associated with any development or dwellings. There are no trees or notable vegetation on the site. The site is surrounded on all sides by existing residential development. To the north are six bungalows facing on to Half Acres, whilst to the south is Horsecastles, a large terrace of circa 31 dwellings.

5. Description of development

The application proposes the demolition of the two existing garage blocks and the redevelopment of the site with two 1.5-storey detached dwellings. Each dwelling will have three bedrooms, private parking and amenity space. The dwellings would be constructed of clay brickwork walls, under a natural slate roof.

6. Background and relevant planning history

7. List of constraints

Adjacent to Sherborne Conservation Area
Nutrient Neutrality Catchments
Groundwater – Susceptibility to flooding
Site of Special Scientific Interest (SSSI) impact risk zone
Risk of Surface Water Flooding Extent 1 in 30
Risk of Surface Water Flooding Extent 1 in 100

8. Consultations

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

Consultees

1. Highway Authority

- No objection, subject to conditions

2. Dorset Waste Team

- No comments received

3. Conservation Officers

- The proposed new dwellings are situated just outside the Conservation Area Boundary and will cause no harm to the setting and character of the Conservation Area.

4. Sherborne TC

- Objection:
 - Traffic generation and public safety
 - Impact on the highway - congestion as vehicles previously stored in garages will be deployed on to the street, in an area which is already heavily used for parking.
 - Public safety - there is sheltered accommodation in the vicinity and unhindered vehicle access is critical for these residents.
 - Diminished access for emergency service vehicles - access to the sheltered accommodation is vital as there are many elderly residents.

4. Building Control North Team

- Windows to habitable rooms to first floor should comply with B1 (Means of Escape) or provide alternative solution.
- Any unprotected areas (window and doors) should comply with B4, in relation to the boundary position.
- The external approaches should comply with the requirements of M4(1) as a minimum standard.

5. Archaeology - Steve Wallis

- I agree with the application's Archaeological Impact Assessment that the proposed development is unlikely to have a significant archaeological impact.

6. Natural England

- No Objection subject to securing mitigation:
 - Ensuring that the proposed new development is required to limit water use to 110 l per person per day.
 - Ensuring the requisite phosphorus credits are secured by any permission.

7. Sherborne West Ward

- Has there been any proper assessment of parking, if the space is removed and converted to two dwellings?

8. Natural Environment Team

- We recommend that the ecological enhancements set out in Section 5 of Ecological Impact Assessment (Halpin Robbins, 23.04.2024) are secured by condition, should the application be approved.

9. Environmental Assessment

- The Appropriate Assessment concluded that the proposed development will not result in an adverse effect upon the integrity of Somerset Levels and Moors Ramsar, subject to the mitigation being legally secured. Therefore, in accordance with Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017, the planning permission for the proposed development can proceed towards determination

Representations received

Total - objections	Total - No objections	Total - comments
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8	0	0
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Petitions objecting	Petitions supporting
0	0
0	0

Summary of comments of objections:

- The garages currently provide essential parking for nearby residents, including elderly and disabled individuals. Removing them would displace many vehicles onto already congested streets (e.g., Wingfield Road, Half Acres, Richmond Road).
- Emergency services already struggle with access to properties; the situation would worsen.
- Fear of accidents due to increased traffic and poor visibility at junctions.
- The adjacent cul-de-sac, Half Acres, contains sheltered housing for people aged 55+, many of whom are infirm or disabled; residents are concerned about losing the ability to park near their homes, affecting independence and wellbeing.
- Concerns about being overlooked by new buildings and loss of privacy.
- Anticipated noise and disruption from demolition and building works.
- Concerns about road closures and restricted access during construction.
- Concern about not being able to hang out washing or access their homes easily.
- Construction vehicles would further reduce available parking and increase congestion.
- The garages are used not only for parking but also for storage, including by local tradespeople.
- Some garages house classic cars and motorcycles, which are vulnerable if left outside.
- The garages are seen as part of the community's infrastructure and history.
- Concerns that the new dwellings will create a 'concrete jungle' feel and degrade the area's character.
- Concerns about losing secure storage and increased risk of vandalism or theft.
- Concerns about increased insurance costs and stress from trying to find alternative parking.

9. 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.

Section 72 of the 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

In this case the development plan comprises:

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
- ENV2: Wildlife and habitats
- ENV4: Heritage assets
- ENV5: Flood risk
- ENV10: The landscape and townscape setting
- ENV11: The pattern of streets and spaces
- ENV12: The design and positioning of buildings
- ENV13: Achieving high levels of environmental performance
- ENV15: Efficient and appropriate use of land
- ENV16: Amenity
- SUS2: Distribution of development
- COM7: Creating a safe and efficient transport network
- COM9: Parking provision

Material considerations

Emerging local plans:

Paragraph 49 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

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

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - 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' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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 National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para

191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

- Section 16 ‘Conserving and Enhancing the Historic Environment’- Paragraph 212 says that 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. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

National Planning Practice Guidance

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

Housing land supply

On 26 September 2024, The Planning Inspectorate issued the Inspector’s report confirming the Council’s Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025 in accordance with paragraph 233 of the NPPF. An updated APS that reflects the Inspector’s findings is available on the Council’s website.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

11. 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.

12. 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. There are no known impacts on persons with protected characteristics associated with this development proposal.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount/Value
Material considerations	
Employment created during construction phase	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
Community Infrastructure Levy (CIL)	The charge would be based on the adopted charging schedule of the West Dorset Area.

14. Planning Assessment

Principle of development

The site is in a sustainable location within the defined development boundary (DDB) of Sherborne, where the principle of new residential development is acceptable. The proposal accords with Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan 2015 (Local Plan).

Scale, design, impact on character and appearance

To the north of the site are six 1960s-style bungalows, which face onto Half Acres and are constructed of rendered walls under concrete-tiled roofs. More than 30m to the south, is Horsecastles, a terrace of c.31 houses constructed of natural stone under slate roofs. These latter dwellings lie within the Sherborne Conservation Area, which ends at the southern boundary of the application site.

The application site, which is accessed off Wingfield Road, is tucked in between the properties on Horsecastles and the six bungalows in Half Acres. The proposed 1.5-storey dwellings will each have three bedrooms, private parking and amenity space. Materials proposed include:

- Natural slate roof with matching ridge/hip capping
- Clay facing brickwork walls
- Conservation type rooflights
- Aluminium, double-glazed doors and windows
- Black fascias and soffits, with imitation cast iron rainwater goods

The proposed development would see the removal of the dated 1970s garage block. The two dwellings would be located within the centre of the site, and large areas of soft landscaping would replace much of the extensive hardstanding that currently covers the site.

Having regard to the scale, design and layout of the proposed development, it is considered that it would result in a visual betterment over existing. As such, it is considered to be in accordance with policy ENV12 of the Local Plan.

Impact on the living conditions of the occupants and neighbouring properties

Residential amenity of neighbouring properties

The proposed 1.5-storey dwellings, with bedrooms and bathrooms in the roof space, have been designed with the privacy of neighbouring properties in mind. The proposed northern-most dwelling, which lies closest to the bungalows in Half Acres, has just two small rooflights in its northern elevation, serving a bathroom and a stairway. No side dormers are proposed on either dwelling. Each dwelling will have a front and rear dormer (east and west), but these will not cause unacceptable overlooking of neighbouring dwellings due to the distances involved. Whilst the current garages sit directly on the boundary, the proposed northern-most dwelling is positioned 3.3m from the boundary, which will provide more separation from the northern bungalows. Having regard to their positioning, bulk, scale, mass and fenestration, it is considered that the proposed dwellings would have an acceptable impact upon the residential amenity of neighbouring properties; they would not unacceptably overlook, overshadow or be overbearing upon their neighbours.

Disruption during construction period

A number of local residents have raised concerns about noise, impact on road safety and disruption - such as restricted access to their properties - during the construction period. Should planning permission be granted, a condition will be attached, to require the submission to and written approval by the council of a Construction Method Statement (CMS). The CMS will need to set out the following details and be adhered to throughout the construction period for the development:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials

- storage of plant and materials used in constructing the development
- delivery, demolition and construction working hours

Adherence to the CMS will minimise the likely impact of the development on the surrounding highway network and the residential amenity of neighbouring properties during the construction period.

Residential amenity of proposed dwellings

In terms of the new dwellings themselves, it is considered that they would provide an acceptable level of residential amenity for future occupants: they have good sized private gardens, each with external rear access, and would not be unacceptably overlooked by neighbouring properties. They also exceed the national minimum space standards in terms of internal size.

Having regard to the above, it is considered that the proposed development is in accordance with policy ENV16 of the Local Plan.

Impact on heritage assets

The site falls outside but adjacent to the Sherborne Conservation area with its boundary running parallel to the site's southern boundary. The council's Conservation team was consulted on the application and considers that the proposal will cause no harm to the setting and character of the Conservation Area. As such, it is considered that the proposed development is in accordance with policy ENV4 of the Local Plan.

Flood risk and drainage

The site lies within an area mapped as being susceptible to groundwater emergence, whilst there is a medium risk (1 in 100 years plus 40% climate change allowance) of surface water flooding at the entrance to the site access road off Wingfield Road. A Flood Risk Assessment (FRA) was submitted with the application, which concluded that there is a low risk of flooding to the site; the council's Flood Risk Management team (FRM) concurs with this assessment. As such, the application is not subject to the sequential test.

The FRA sets out that surface water disposal from the proposed development will follow the SuDS hierarchy. Pre-commencement conditions will be attached should planning permission be granted, which require the submission of details of the surface water drainage scheme, along with how it will be maintained/managed.

Having regard to the above, it is considered that the proposal accords with policy ENV5 of the Local Plan.

Highway impacts, safety, access and parking

Highway safety

An engineer from the Highway Authority visited the site and made a full assessment of the scheme. He noted that visibility is acceptable, as there is c.25m visibility to the junction to the north, and more than 43 m to the south. He identified no unacceptable impact on highway safety, and raised no objection to the application, subject to conditions. As such, it is considered that the proposed development is acceptable in relation to highway safety, in accordance with COM7 of the Local Plan.

Parking

Perceived parking displacement

The planning statement sets out that the garage blocks, which were constructed in the 1970s, are privately owned and independent from any existing development or property in the area. The owner rents them out to interested parties on a one-month rolling basis and can terminate the contracts at any time with a month's notice. The garages are in a poor state of repair and are past their optimal lifespan. Repair works are required more frequently and as such the site is becoming less viable to operate. Each garage is c.2.13m wide, which is smaller than modern standards for parking spaces (2.4m+ wide); as such many modern cars struggle to fit, let alone allow the driver to exit the vehicle.

The agent has confirmed that at present there are 37 occupied units out of the 48 on site. The lessee's addresses are as follows (less than half of the garages are rented by residents of immediate streets):

- Horsecastles: 11
- Wingfield Road: 11
- 5 to 10 mins walk away: 3
- > 10 mins walk in Sherborne: 6 Out-with Sherborne: 3
- Unknown: 3

Whilst the applicant does not monitor the usage nor have access to the rented units, based on their knowledge, experience and observations they estimate the following usage:

- Cars: 5
- Storage: 24
- Uncertain: 8

The applicant estimates that the majority are used for storage, which aligns with the unit sizes that, given the age of the units, are only suitable for smaller vehicles. There is also no electricity for charging electric vehicles.

There is no policy requirement for the retention of private garages that are unconnected to any development – as set out above, the rental of the garages is a private enterprise. The agent states that the applicants will not be investing further into the garages which are increasingly unviable, hence they have looked at alternative uses for this brownfield site.

Whilst it is acknowledged that local residents are concerned about the loss of the garaging facility, particularly having regard to reported parking issues experienced by local

residents, it must be recognised that the application site does not form part of the Council's parking strategy and is an entirely private entity. In any case, from reviewing the submitted information, it would appear that few people actually park cars in the garages.

Sherborne has six public car parks and operates a residents' permit scheme. As such the redevelopment of the site will not impact the parking provision available to the public within the town.

Proposed parking

Each dwelling has three parking spaces to the front, including an electric vehicle space for each, and it is considered that this level of parking is in accordance with policy COM9 of the Local Plan.

Biodiversity

The site falls below the threshold for Biodiversity Net Gain, and the application is not within the scope of the Dorset Biodiversity Appraisal Protocol (DBAP), as no evidence of protected species or habitats has been found on site, as set out in the submitted Ecological Impact Assessment (EIA). The EIA recommends a number of ecological enhancement measures, which would result in a net gain in biodiversity – the Council's Natural Environment Team (NET) has requested that these be secured by condition. It is considered that the proposed development would have an acceptable impact upon biodiversity, in accordance with policy ENV2 of the Local Plan.

Nutrient Neutrality

The application site falls within the hydrological catchment of Somerset Levels and Moors Special Protection Area (SPA). The site is also listed as of International Importance under the Ramsar Convention (Ramsar) as the Somerset Levels and Moors Ramsar Site. The Somerset Levels and Moors Ramsar site, underpinned by multiple SSSI's, is designated for its internationally important wetland habitats and species. The ditches and channels of the wetland are a component of this broad habitat type, supporting a diverse range of fauna and rare invertebrate species. In relation to the Somerset Levels and Moors SPA, based on their current understanding, Natural England is satisfied that additional nutrients from new developments such as this are unlikely, either alone or in combination, to have a likely significant effect on the internationally important bird communities for which the site is designated. However, the interest features of the Somerset Levels and Moors Ramsar Site, including many of the ditches and channels, are considered unfavourable, or at risk, from the effects of eutrophication caused by excessive phosphates. These are largely derived from a combination of point and diffuse pollution sources, which result in algal blooms. Natural England's advice therefore is that additional residential units within the catchment are likely to add phosphate to the designated site via the wastewater treatment effluent, thus contributing to the existing unfavourable condition and further preventing the site in achieving its conservation objectives.

The proposed development, which would result in a net increase of two dwellings, would impact on the Parrett catchment of the Somerset Levels and Moors designated site. The applicant has provided a Nutrient Assessment including a Phosphates Budget Calculator

commissioned by the Somerset authorities, which is guided by Natural England's Standing Advice on nutrient neutrality. The applicant has provided an estimate of the additional phosphorous loading which will result from the proposed development, which has been reviewed and agreed by the council's Environmental Assessment team (EA), through an Appropriate Assessment. To offset the new phosphate loading from the development, the application has reserved the required number of phosphorous credits through the Woodrow Farm Phosphorus Credits Scheme in the Parrett catchment. A pre-commencement condition would be applied to the planning permission for the proposed development to ensure that the correct number of credits are purchased prior to the works starting. Subject to this mitigation being adequately secured, EA concluded that the above proposal is not likely to result in an adverse effect upon the integrity of the Somerset Levels and Moors Ramsar. Natural England raise no objection to the proposal, subject to conditions to secure the mitigation and to limit water consumption to 110l per person per day.

Having regard to the above, it is considered that the proposed development would have an acceptable impact upon the Somerset Levels and Moors Special Protection Area, in accordance with policy ENV2 of the Local Plan.

15. Environmental implications

The agent states that the buildings have been designed to meet all current building regulations that refer to the conservation of fuel and power (approved document L1) and consideration has been given to thermal efficiency and regulation 25(A) regarding renewable options. It was concluded that the site is not suitable/large enough for ground source heat pumps and solar panels were considered, however in this instance, were considered unsuitable on design grounds given the proximity to the conservation area. It is the applicant's intention to source materials from local merchants.

16. Summary of issues and the planning balance

The site is within the defined development boundary for Sherborne and the proposal is for an appropriately designed and laid out scheme, so is considered to comply with the Development Plan taken as a whole. There are no material considerations indicating the decision should be taken otherwise than in accordance with the development plan. Consequently, the application is recommended for approval, subject to conditions.

17. Recommendation

Grant planning permission, subject to conditions.

Recommendation: Approve subject to the following conditions:

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

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

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

AT278 001 Location Plan

A/3358/04 Proposed Site Plan

A/3358/01 Plot 1 Proposed Floor & Roof Plans

A/3358/02 Plot 2 Proposed Floor & Roof Plans

A/3358/01 Proposed Elevations & Sections

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

3. Prior to the commencement of development, a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction and a timetable for implementation of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the approved details including the timetable for implementation.

Reason: To prevent the increased risk of flooding and to protect water quality.

4. Prior to the occupation of the development details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

5. The development hereby permitted shall not be commenced until an Allocation Certificate has been submitted to and approved in writing by the Local Planning Authority which addresses the additional nutrient input arising from the development within the fluvial catchment area upstream of the Somerset Levels and Moors Ramsar site and on the same hydrological pathway. The Allocation Certificate shall be a written certificate issued by the phosphate credit provider confirming the allocation of the full phosphate credit requirement generated by the development, thereby mitigating the additional nutrient load imposed on the Somerset Levels and Moors Ramsar site by the development when fully occupied enabling the local planning authority to conclude on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected site, having regard to the conservation objectives for the site.

Reason: To ensure that the proposed development is phosphate neutral in perpetuity.

6. Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwelling to 110 litres per person per day as measured in accordance with regulation 36 of the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory

Instrument) shall be submitted to and approved by the Local Planning Authority before the dwelling is occupied. The submitted details shall include a water consumption calculation for the dwelling in accordance with the Approved Documents referred to above. The approved measures shall be implemented and maintained to the satisfaction of the Local Planning Authority thereafter.

Reason: To secure nutrient neutrality through effective mitigation in the interests of protected Habitat Sites

7. The development hereby approved must not be first brought into use unless and until the detailed biodiversity mitigation, compensation and enhancement measures set out within the submitted Ecological Impact Assessment (HalpinRobbins Ltd, 23.04.2024) have been completed in full, in accordance with any specified timetable. Thereafter, the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the submitted details.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

8. Before the development hereby approved commences a Construction Method Statement (CMS) must be submitted to and approved in writing by the Planning Authority. The CMS must include:
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - delivery, demolition and construction working hours

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network.

9. Before the development hereby approved is occupied or utilised, the visibility splay must have 25m to the north and 43m to the south of clear and unobstructed line of sight in both directions. Any obstruction on the verge both sides of the access must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: to ensure that a vehicle can see or be seen when exiting the access.

10. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number A/3358/04 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

11. Before the development is occupied or utilised the first 5.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the

Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

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

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

13. Prior to the commencement of any development hereby approved above damp course level, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) of the dwellinghouse hereby approved, permitted by Class A and Class B of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no roof enlargement(s) or alteration(s) of the dwellinghouse hereby approved, permitted by Class B and Class C of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

Informative Notes:

1. As the works affects a Council maintained structural asset the applicant should contact the Bridge and Structures Team by telephone at 01305 225366 or by email at j.burridge@dorsetcc.gov.uk, before the commencement of any works on or adjacent to the structural asset in question, to ensure that the appropriate licence(s) and or permission(s) are obtained.
2. These garages may contain asbestos. It is recommended the developer submits a detailed plan for the removal of asbestos that could be, Crocidolite asbestos, also known as blue asbestos, or Amosite asbestos otherwise known as brown asbestos. This will require specialists to remove this type of asbestos providing this is found in the building.

The more common will be Chrysotile asbestos or white asbestos which can be removed by non-specialists but will still need to be disposed of in a safe manner.

3. The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.
4. The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

5. National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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

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

In this case:

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

Application Number:	P/FUL/2023/01247
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	10 High East Street Dorchester DT1 1HS
Proposal:	Erect first floor extension to provide 1 No. unit of residential accommodation
Applicant name:	Mr Miah
Case Officer:	Cass Worman
Ward Member(s):	Cllr Jones and Cllr Major

1. Reason application is going to committee:

Cllr Jones requested that application considered at Committee - subsequent Chair referral following Scheme of Delegation consultation.

2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	Infill development in County Town acceptable in principle. Ground floor commercial space is retained. Conservation Officers supportive of proposal
Scale, design, impact on character and appearance	Conservation Officers supportive of proposal, would enhance the character and appearance of the Conservation Area
Impact on the living conditions of the occupants and neighbouring properties	Window in the side elevation of 10A would experience a change in outlook. Existing courtyards & balconies to rear already experience mutual over and in-looking, rear windows high level in roof. Increase in parapet height not considered to be overbearing. Noise & odour reports demonstrate new flue for takeaway would be acceptable with regards to noise & smells. Impacts to neighbouring amenity not considered significant enough to warrant refusal of application on amenity grounds
Impact on landscape or heritage assets	Conservation Officers supportive of proposal, would enhance the character and appearance of

Issue	Conclusion
	the Conservation Area, no impact on remaining heritage interest of application building (shopfront)
Flood risk and drainage	Proposals do not increase footprint of building, proposals suitable in flood risk terms.
Economic benefits	Provision of one unit of residential accommodation in highly sustainable location
Highway impacts, safety, access and parking	Lack of parking provision is acceptable for a town centre location. Access into new residential flat is acceptable to Building Control. Construction Method Statement required
Biodiversity	BNG exempt, negative bat & bird survey, enhancements secured by condition

4. Description of site

The application building is a single storey building in the middle of High East Street, currently occupied by Bombay Nights takeaway, notable for its bright pink shopfront.

The building is Grade II listed, listed as group with Numbers 10 to 12.

The listing description is :

HIGH EAST STREET 1. 5191 (South Side) Nos 10 to 12 (consec) SY 6990 7/219 II GV Mid C19. Colour washed brick. Pitched slate roof. Brick stacks. 2 storeys and attics. 3 sashes with glazing bars on 1st floor. 2 attic dormers with sashes and glazing bars. 3 shopfronts, No 11's modern, Nos 10 and 12's mid C19, No 12's with oblong bay front, pilasters and entablature, No 10's with modillion cornice and pent roof on cut brackets. West (Icen Way) elevation of No 12 is Ridgeway rubble with red brick dressings, and has mansard slate roof, 3 ranges of sashes with glazing bars, and 2 planked doors with segment-headed fanlights. Nos 10 to 12 (consec) form a group with Nos 1, 2, 2A and 3 Icen Way."

The history of the building itself is relatively unknown, and Officers have approached the Dorset Records Centre for historic images or any information of the history of the site but unfortunately this section of High East Street is often missing from the historic photo record.

It is therefore thought perhaps the building is a later addition or infill of a what was a larger courtyard; the shopfront is of historic interest, being a fine example of a mid 19th Century shopfront which compliments other symmetrical shopfronts up High East Street and is a positive contributor to the character and appearance of the Conservation Area.

5. Description of development

Addition of a first floor extension to provide one unit of residential accommodation.

The front elevation facing High East Street would be of brick with two simple casement windows. A pitched plain tile roof which sits subserviently between the two buildings either side would finish the front elevation, and this simple design follows advice of the Conservation Officer.

The pitched roof is then returned back to form a flat roof to the middle of the roofscape to ensure the window in the side gable elevation of Number 10A is not blocked.

To the rear, the existing parapet wall would be built up by approx. 0.6 metres, with a pitch roof behind, featuring three roof lights. This pitch roof to the rear is lesser in height than the front roof, and then returns to the central flat roof section.

The historic shopfront would be retained, with no changes required. Internally at ground floor level, a new lobby would be created to allow separation between the ground floor takeaway area, and the stairs up to the new flat above.

A new extractor system for the takeaway kitchen would be required, which is proposed to pass through the middle of the new flat, and be placed externally in the middle of the flat roof above.

6. Background and relevant planning history

1/E/90/000177 - Decision: GRA - Decision Date: 21/05/1990
Continue Class A3 use of premises (use for the sale of food and drink for consumption on the premises or hot food for consumption off the premises)

1/E/90/000202 - Decision: GRA - Decision Date: 22/05/1990
Erect illuminated hanging sign

1/E/90/000203 - Decision: GRA - Decision Date: 22/05/1990
Erect illuminated hanging sign

P/PAP/2022/00284 - Decision: RES - Decision Date: 20/09/2022
Written advice - First floor extension to existing property

The application is made jointly with listed building consent ref LBC/2023/01251 –
Recommended for approval

7. List of constraints

Application site is Grade II listed: LB - 10-12, HIGH EAST STREET listed building grade G2.
HE Reference: 1110579 - Distance: 0

Adjacent to Grade II listed building: 9, HIGH EAST STREET listed building grade G2. HE
Reference: 1292030 - Distance: 0

Within setting of other Grade II Listed Buildings including:

LB - Grade: II Listed Building: 1, 2, 2A AND 3, ICEN WAY List Entry: 1119034.0; - Distance:
16.11 (this group forms a grouping along with 10-12 High Street)

45, HIGH EAST STREET List Entry: 1218610.0; - Distance: 16.92;

43, HIGH EAST STREET List Entry: 1324433.0; - Distance: 21.09

46, HIGH EAST STREET List Entry: 1119051.0; - Distance: 17.8

8, HIGH EAST STREET List Entry: 1110578.0; - Distance: 10.36

7 AND 7A, HIGH EAST STREET List Entry: 1292026.0; - Distance: 18.12

CON - Application is within Dorchester Conservation Area - Distance: 0

DOR3; Dorchester Roman Town Area; Dorchester - Distance: 0

SUS2; Defined Development Boundary; Dorchester - Distance: 0

ECON4; Town Centre Areas; Dorchester - Distance: 0

ENV 2; Poole Harbour Nutrient Catchment Area; Poole Harbour - Distance: 0

PROW - Right of Way: Footpath S2/16; - Distance: 37.17

SGN - Medium pressure gas pipeline 25m or less from Medium Pressure Pipelines (75mbar - 2 bar); - Distance: 15.15

EA - JBA - Risk of Groundwater Emergence; Groundwater levels are between 0.025m and 0.5m below the ground surface.; Within this zone there is a risk of groundwater flooding to both surface and subsurface assets. There is the possibility of groundwater emerging at the surface locally.; - Distance: 0

Scheduled Monument: Outer defences of Roman town, W of St Genevieve's Convent (List Entry: 1002380); - Distance: 358.02

Scheduled Monument: Dorchester Roman walls (List Entry: 1002449); - Distance: 155.46

Scheduled Monument: Part of Roman, Saxon, and medieval town in grounds of Wollaston House (List Entry: 1002384); - Distance: 88.77

8. Consultations

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

Consultees

Natural England – *No objection. Application intends to mitigate for the additional nitrogen load generated by the proposal by the purchase of credits from the approved scheme at Lyscombe Farm. We note that it is the intention of your Authority to use a Grampian styled planning condition to ensure sufficient credits are secured prior to commencement. I can confirm, provided your Authority is satisfied that sufficient credits are available then, Natural England has no objection to this approach.*

Any permission should also ensure the house meets the 110 l per person water use requirement which is set out in the nutrient calculator for Poole Harbour.

Wessex Water – no objection

Dorchester Town Council – *No Objection - request that a planning condition be made that the proposed extractor fan be maintained as per the recommendations stated in the Odour Assessment report submitted with the application.*

Dorchester East Ward Member Cllr Jones –

The proposed alterations will improve the street scene.

Concerns raised with regards to:

- impacts on residents to the rear of the property who feel the siting of the extractor system has moved the problem from one neighbour to another
- bathroom and kitchen vents would be blocked

- windows overlook living spaces to rear
- size of the proposed accommodation does not meet technical space standards

DC - Conservation Officers – Support, the proposals would enhance the character and appearance of the Conservation Area and no harm to the listed building.

DC - Building Control– *Proposed lobby with inward opening doors would provide required fire separation between takeaway and residential flat*

DC – Highways – No objection. Construction Management Statement required

DC - Environmental Assessment - Updated budget calculator received and acceptable

DC - Env. Services – Protection

The specification of odour abatement plant & the effectiveness of the proposed plant was requested by Environmental Health Officers. Subsequent Odour and Noise assessments have been assessed and are considered to be acceptable to demonstrate that the proposals would not result in adverse impacts on neighbouring amenity with regards to noise and odour.

Odour - The assessment demonstrates that odour should not be an issue with proper design; regular maintenance and cleaning must be carried out.

Noise - The assessment demonstrates that noise will have a low adverse impact on the environment and there would be a satisfactory impact on neighbouring amenity. However the plant and attenuation used must comply with the proposals as described in the report

If the chosen odour abatement plant is different from that originally proposed then a further noise assessment must be made on that plant.

Molly Rennie (Previous Dorchester East Ward Member) –

Concerns with regards to:

- the design might not be in accordance with other properties on the street
- potential for loss of light to windows
- blocking of neighbouring vents
- overlooking into neighbouring properties
- potential impacts of abutments to neighbouring properties

Representations received

Total - objections	Total - No objections	Total - comments
16	1 Civic Society	17

Petitions objecting	Petitions supporting
0	0
0 Signatures	0 Signatures

Dorchester Civic Society

The Society supports this application which will provide an improved North elevation. This is subject to the rights of adjoining neighbours being preserved as to their privacy and the Right to Light.

Summary of comments of objection:

An updated daylight and sunlight report has not been produced for the amended scheme.

The Council's local list states that a daylight/sunlight assessment should be provided where there is a potential adverse impact on adjoining properties. The application should not be considered without this report.

The proposals would have an impact on light which enters the sole window into the 1st floor bedroom of Number 10A, the proposals would block light into this window which has been in place for over 20 years.

The window in the side of number 10A is used as a fire escape.

The abutment of the new flat roof would result in accumulation of debris and water causing damp to neighbouring properties, no details of abutment or how surface water would be dealt with are provided.

The proposals will block existing vents on adjacent properties, no details of how these concerns would be addressed.

The odour report is insufficient.

Residents already experience adverse odour impacts from the takeaway.

No guarantees that the new extractor system would be sufficiently maintained, a management/maintenance schedule would be required and adhered to.

No indication as to how the extract would be accessed from the roof space for maintenance & management. Doubts as to whether the proposed extract would actually work in the proposed location.

Relocation of the extractor would result in adverse impacts to neighbouring amenity from noise and odour, the extract is very close to bedroom windows.

The noise report is insufficient. The proposed location of the extract is within a hollow which will amplify noise and disturb adjacent residents.

The proposals would block access to neighbouring properties to access the sides and rear of their properties for management and maintenance, these properties are listed.

No supporting structural information is provided ensuring that the existing building can withstand the additional floor – there is a potential for structural damage to neighbouring properties as a result of the proposals.

No supporting information is provided as to how the proposals would abut/join the properties on either side.

The proposals would result in loss of privacy of neighbouring balconies due to increased overlooking from rear windows.

It would be possible to view the garden of the property behind from the rear rooflights they overlook (namely 5 Icen Mews) from an open roof light.

Subsequent loss of privacy from proposed rear windows.

Loss of light and overshadowing from proposed additional floor – this space already suffers from poor natural light, and an additional floor would result in overshadowing and loss of light.

The additional floor would result in an overbearing relationship to the garden area to the rear of the site as a result of the increased height in the wall and addition of a sloping roof.

The proposals show three dormer windows at the rear, which would overlook the property to the rear and result in loss of privacy. Occupants of the proposed flat would be able to stick their heads out of the windows and look into the neighbouring garden. The presence of windows would result in a perception of constant overlooking and unwanted surveillance.

The proposals would be harmful to the setting of the Conservation Area and adjacent listed buildings – adding another storey attached to Number 10A High Street would take away the distinctive look of this property, with its distinctive narrow shopfront.

The proposals would block the side elevation of Number 9 and adversely impact its setting from resultant obscuring of this part of the building.

The proposals would impact the character & appearance of the Conservation Area.

The Heritage Statement is inadequate & misleading.

Not enough parking in the vicinity – an extra dwelling would put even more pressure on existing problems.

Summary of comments of support:

N/A

9. 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 - 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 when considering whether to grant listed building consent.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

10. Relevant policies

Development plan

In this case the development plan comprises:

Local 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

ENV2: Wildlife and habitats

ENV4: Heritage assets

ENV5: Flood risk
ENV10: The landscape and townscape setting
ENV12: The design and positioning of buildings
ENV14: Shopfronts & advertisements
ENV15: Efficient and Appropriate Use of Land
ENV16: Amenity
ECON4: Retail And Town Centre Development
SUS2: Distribution of development
COM7: Creating a safe & efficient transport network

Material considerations

Emerging local plans:

Paragraph 49 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

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

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - 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' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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'- Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that 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. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

Dorchester Conservation Area Appraisal - 29 July 2003

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

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

Statutory guidance - Technical housing standards – nationally described space standard, 27 March 2015

Housing land supply

On the 26th September 2024, The Planning Inspectorate issued the Inspector's report confirming the Council's Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this

figure is fixed until 31 October 2025 in accordance with paragraph 233 of the NPPF. An updated APS that reflects the Inspector's findings is available on the Council's website.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

11. 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.

12. 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 unaware of any considerations under PSED relevant to this application.

13. Planning Assessment

Principle of development

The site is in the designated Town Centre and secondary shopping frontage of the town.

The ground floor commercial unit is to remain in the current takeaway use. A small area of ground floor commercial space would be lost to facilitate a hallway and staircase for access into the new first floor flat. Retention of the ground floor commercial unit is supported to ensure ongoing vitality of the town centre, and the proposals comply with Local Plan Policy ECON4.

Infill residential development in the county town is a highly sustainable proposal and wholly in accordance with the Council's spatial strategy.

The principle of addition of a second floor is supported by Conservation Officers who are of the opinion that the proposals would enhance the character and appearance of the Conservation Area.

Benefits

The proposals would provide benefits in the way of support for the construction industry for the building operations. There would be associated spend from occupants of the dwelling in local services and facilities, and there would be associated Council Tax income. The provision of a new dwelling would provide additional income for the proprietor of the takeaway business and/or provision of accommodation for staff. Contribution of one unit of new residential accommodation in a highly sustainable location. Enhancement of the character and appearance of the Conservation Area.

Design, impact on character, and impact on heritage assets

The proposals have the support of the Conservation Officer, who sees the infill of this 'gap' with a suitably designed and detailed roof extension to enhance the character and appearance of the Conservation Area.

The extension is subservient to both buildings on either side of the site, the roof being set well down from the roofs of buildings on both sides which will allow both gables of these buildings to still be 'read'.

The extension would be suitably detailed with a brick frontage (with Flemish bond as recommended by Conservation), and traditionally styled timber casement windows. The roof would be plain clay tile as recommended by Conservation.

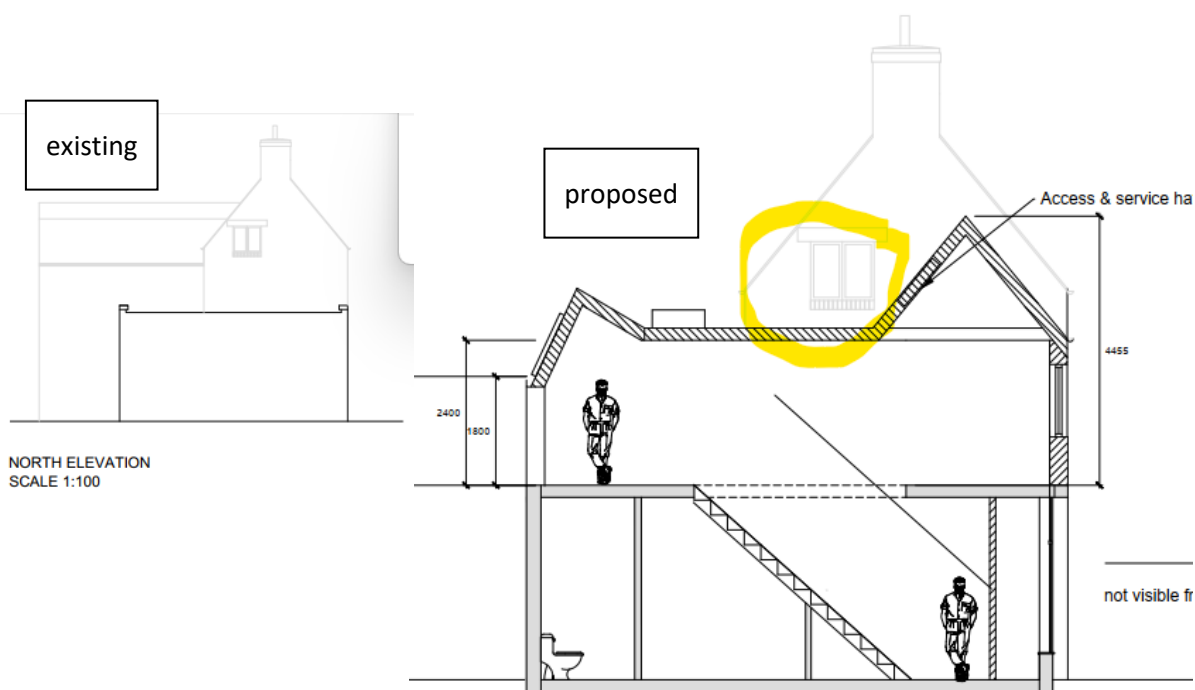
The original historic shopfront would be retained, with no external alterations to the ground floor shop required.

It should also be noted that the scheme is supported by the Dorchester Civic Society who comment that the application would provide an improved North elevation.

Amenity

The scheme has been significantly redesigned since initial submission to ensure protection of neighbouring amenity. Originally a two storey upward extension, now just one floor is proposed.

The front pitched roof would be returned to join a flat roof in the middle of the roofscape to ensure the window in gable wall of number 10A would not be blocked:

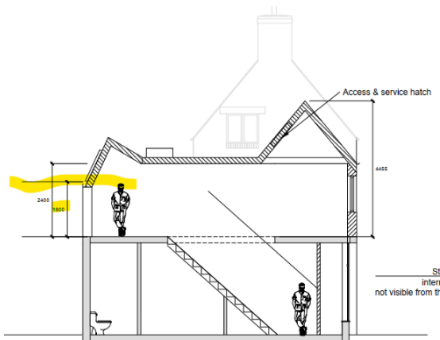


It is acknowledged that this window would experience a change in outlook from the raising of the existing flat roof, but there would be no blocking of the window, and the light entering this window would not be significantly impacted, taking into consideration that this window is east facing, and the pitched roof addition is on the north elevation.

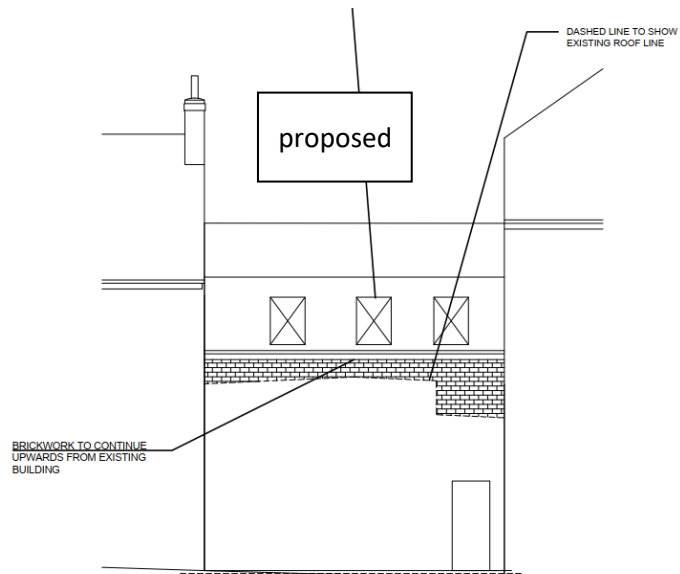
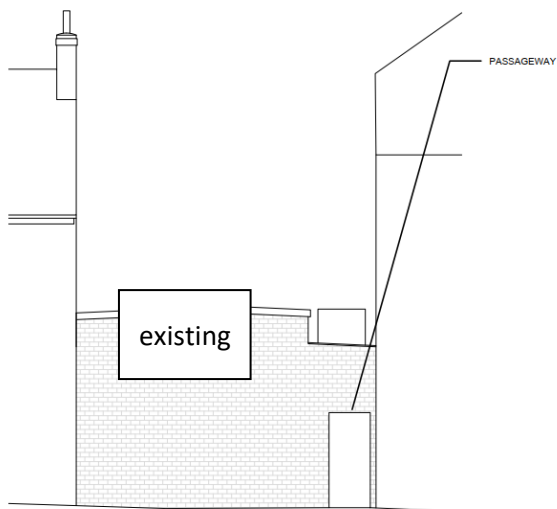
It is acknowledged there may be some impact on natural light received by this window from the increased height of the parapet wall and modest pitched roof to the south, however considering the height of this roof which remains below the level of the window, and the orientation of the window facing east, any impacts of loss of sunlight would be limited to the winter months, and adequate daylight would still be able to reach this window.

Below is a photo taken from out of the window at 10A





The proposed roof lights in the rear roof slope would be above head height, therefore the degree of overlooking from these windows into the courtyard opposite/below would be minimal. One objector refers to dormer windows which is incorrect, the only windows to the rear are these rooflights which are high level, therefore minimising potential for overlooking.



The existing courtyards & balconies to the rear already experience mutual over and in-looking. It is considered that the 'perception' of additional surveillance from these rooflights is acceptable taking into account the existing relationships between the existing properties.

With regards to potential for loss of light to amenity space & overbearing to properties in Icen Mews to the south, the orientation of the application site to the north should be taken into account, as raising a roof to the north would have a very limited impact on sunlight.

It is considered that the increase in height of the parapet wall, by approximately 0.6metres, with a sloping pitched roof behind, would not result in a significant sense of overbearing to neighbouring properties, considering that this wall is already in existence and the area already experiences an enclosed character. Due to the northern orientation of the application site, the increase in height in this wall would not result in any significant loss of light or increased shadow to the garden areas of Icen Mews which would warrant refusal of the application.

Objectors to the scheme comment that an updated sunlight report should accompany the application following amendments to reduce the number of stories proposed. The original sunlight report was produced in an attempt to justify the original scheme, which blocked the window of Number 10A, and only provided a 'sun corridor' within the roof. Officers did not consider that this scheme was acceptable, and subsequently the scheme was amended removing one storey from the application, which allowed this window to remain unblocked by the new roof.

Taking this significant amendment into consideration, it was not considered that an updated sunlight report was required, and the impacts of the scheme can be clearly inferred and interpreted from the section diagrams provided.



Noise & Odour

A new extract for the takeaway kitchen would be required as the flue is currently on the existing flat roof adjacent to the gable of Number 9. It is proposed to reconfigure the takeaway kitchen, run the new ducting up through the middle of the new flat, and place the new extract centrally in the new flat roof between the 2 pitched roof elements.

Noise and odour reports have been prepared for the application, and these were subsequently amended when the design changed. Objectors to the scheme are critical of these reports, however they have been assessed by the Council's Environmental Protection Officer, who confirms that they are adequate to demonstrate that the proposals, if implemented in accordance with the recommendations contained within the reports, would have an acceptable impact on neighbouring amenity with regards to noise and odour.

Objectors have raised issues with current operation of the takeaway and existing issues with regards to smell, and concerns that new extract plant would not be installed properly, nor properly managed and maintained. The amended plans show a hatch in the south elevation of the front pitched roof which would facilitate access to the new extract plant on the flat roof.

In light of the close proximity of a number of residential dwellings, it is deemed necessary and reasonable to request full technical details of the proposed extract equipment prior to installation, in addition to a management and maintenance schedule which must be adhered to, to ensure that the details of the new equipment are subject to appropriate scrutiny and are appropriate to the setting and location.

Impact on neighbouring vents etc & access

Objectors highlight concerns that the extension would result in blocking of existing vents and extracts in their gable walls. Concerns are also raised about the structural integrity of the host building, arrangements for surface water and resultant impacts on the neighbouring buildings from the proposed construction. Access for maintenance of neighbouring buildings is also raised as a concern by objectors to the scheme.

The majority of these issues would be addressed via the Party Wall Act and subsequent arrangements agreed with all interested parties in combination with input from Building Control. Taking into account the listed status of the application site, and both of the neighbouring properties, it is deemed reasonable to request details of the construction prior to development.

Design & Amenity for resultant occupants of new residential unit

Objectors highlight that the layout of the proposed residential flat does not meet the space standards requirements for a dwelling with 2 bedspaces. The technical guidance specifies that for a dwelling with 2 or more bedspaces, at least one must be a double, with a floor area of 11.5sqm and 2.75m wide. The layout shows the bedroom to have a width of 2.77m and a floor area of 10sq m. This meets the requirement for a 1 bedspace dwelling, but not a 2 bedroomed dwelling.

The applicant maintains that the second room is intended to be an office/store.

The floorspace of the flat is 50sqm, which meets the required standards for a 1bed 2 person dwelling as outlined in the technical guidance.

It should be noted that the applicant *could potentially* present the application with one large bedroom and then add a partition wall to create this second room at a later date.

It is considered that the layout of the proposed flat is acceptable, adequate living space is provided for 2 people, and all habitable rooms have good access to natural light, the bedroom having 2 large roof lights, and the living space having the two front windows facing onto the main road.

Details have been provided as to how the boxing in of the vent/extract from the kitchen below which runs through the centre of the flat could be acoustically attenuated to ensure that occupants of the flat would be suitably protected from undue noise/vibration/odour, and specific details of this would be secured by condition.

Building Control officers have provided advice to the architect, and a suitable fire separation between the takeaway and the flat can be achieved at building regulations stage.

The proposed layout is considered to be acceptable to provide adequate living conditions for occupants of the proposed flat.

Flood risk and drainage

The proposals do not increase footprint of building. Details of surface water arrangements would be provided via condition. The proposals would not increase the risk of flooding elsewhere and the scheme is considered to be suitable in flood risk terms.

Highway impacts, safety, access and parking

Lack of parking provision is acceptable for a town centre location. Access into new residential flat is acceptable to Building Control. Highways Officer have no objection subject to submission of a Construction Method Statement.

Biodiversity

The scheme is BNG exempt. The application is accompanied by a negative bat & bird survey. Biodiversity enhancements (bat and bird boxes) are to be secured by condition.

Nutrient Neutrality

A condition ensuring nutrient credits are secured prior to development is required taking into account site's location within the Poole Harbour Catchment.

The scheme would be CIL liable.

14. Summary of issues and the planning balance

The principle of the scheme to provide a new unit of accommodation in the town centre with retention of the ground floor commercial unit can be supported. Conservation Officers are supportive of the proposals which would enhance the character & appearance of the Conservation Area. There would be no harm to the listed building, nor the setting of adjacent listed buildings.

The scheme is supported by noise and odour reports which demonstrate that if implemented in accordance with the recommendations contained therein, the scheme would not result in adverse impacts to neighbouring occupants with regards to noise and smells. Specific details, and a management and maintenance plan would be secured by condition.

The scheme is designed not to block the window in the side elevation of Number 10A, there would not be a significant unacceptable loss of light to this window as a result of the proposals.

The scheme would not result in significant overlooking from rear windows into neighbouring amenity spaces, the rooflights being high level. The increase in wall height would not in officer opinion result in unacceptable overbearing to neighbouring amenity spaces, nor would it result in unacceptable overshadowing of neighbouring properties.

The scheme is considered to accord with Local Plan Policy ENV16.

The layout of the proposed residential unit is considered to be acceptable, the floorspace meets the technical space standard requirements for a 1 bed 2 person unit.

There are no concerns with regards to highways, access, biodiversity and nutrient credits would be secured. The proposal would comply with the development plan, taken as a whole, and there are no material considerations that indicate otherwise.

15 Recommendation: Grant, 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:

12673-01 Location Plan.pdf

12673-02 A Existing Plans, Elevations & Sections.pdf

12673 - 106 G Proposed plans and elevations Dec 2024

12673-107 Existing and Proposed Rear Elevations

12673-108 C Lobby Section

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

3. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour Catchment have been secured from an accredited nutrient provider and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour.

4. Prior to construction of the extension hereby approved, a detailed method statement detailing abutment and construction methodology to include details of (but not limited to) tying in/connections with adjacent buildings, surface water drainage, rainwater goods, conservation of vents and flues shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of the appearance of the development and protecting adjacent heritage assets.

5. Before the development hereby approved commences a Construction Method Statement (CMS) must be submitted to and approved in writing by the Planning Authority. The CMS must include:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- delivery, demolition and construction working hours

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network.

6. Prior to installation of first floor extension brickwork, a sample panel of the proposed external facing material measuring at least 1 metre by 1 metres, demonstrating the proposed brick, coursing, mortar mix and pointing detail, shall be erected on site, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with details of the sample panel as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development and in the interests of the heritage asset.

7. Prior to installation of new pitched roof, details and samples of all external facing materials for the wall(s) and roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development and in the interests of the heritage assets.

8. Prior to the installation of new external windows, detailed drawings (at a scale of 1:5 section and 1:20 elevation) showing the design, materials, colour, finish and construction specifications of all new windows (and passageway door if proposed) shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be completed in accordance with the approved details.

Reason: To safeguard the character of the locality and in the interests of the appearance of the development and in the interests of the heritage asset.

9. Before installation of any extraction plant and associated ductwork, vents and flues, details of equipment, methodology, installation details, operating procedure and a management and maintenance schedule shall be submitted and approved in writing by the Local Planning Authority. The extract system must be designed in accordance with the recommendations contained in reports prepared by Impact Acoustics and Greenavon, and details outlining mitigation to prevent loss of amenity and prevent creeping noise & odour levels for neighbouring residents and occupants of the new flat must be provided. Thereafter, the installation of the equipment must proceed fully in strict accordance with the agreed details prior to the development hereby approved being first occupied or brought into use, and subject thereafter to routine maintenance and cleansing in accordance with the agreed details and manufacturers' instructions.

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

10. Prior to first occupation of the development hereby approved, one No bird box and one No bat box shall be installed in accordance with recommendations contained in Abbas Ecology PRA and thereafter maintained in perpetuity.

Reason: to provide biodiversity enhancements

11. Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwelling to 110 litres per person per day as measured in accordance with regulation 36 of the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved by the Local Planning Authority before the dwelling is occupied. The submitted details shall include a water consumption calculation for the dwelling in accordance with the Approved Documents referred to above. The approved measures shall be implemented and maintained to the satisfaction of the Local Planning Authority thereafter.

Reason: To secure nutrient neutrality through effective mitigation in the interests of protected Habitat Sites.

Informative Notes:

1. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below are considered to apply.

- The application for planning permission was made before 12 February 2024.
-
- Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Read more about Biodiversity Net Gain at <https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

2. Please ensure all conditions with regards to linked listed building consent ref P/LBC/2023/01251 are submitted and discharged, and thereafter proceed in accordance with the agreed details as approved
3. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan
 1. The application for planning permission was made before 12 February 2024.
 2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
 3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
 4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4. New drainage and water supply connections

Your builder and plumber should explain how your existing arrangements may be altered to accommodate any new water supply or disposal requirements. If your proposals require new connections to the public foul sewer and public water mains, notes and application forms can be found here.

Where multiple occupations occur within a single curtilage, provision should be made to locate water meters at the boundary of the property or in a communal area with 24 hour access for reading and maintenance.

Buildings above two storeys will require private on site water boosting

What to do with rainwater from new driveways and roofs

Rainwater running off new driveways and roofs will require consideration to provide the best solution for the local environment. Rainwater may already connect to our existing foul or surface water networks. If you or your builder believe rainwater connects to the foul water network this should be disconnected and an alternative method of disposal considered; soakaways where possible or connection to a watercourse or surface water sewer. Rainwater flows from hard surfaces running via pipes outside of your property boundary should not be permitted to increase once your extension is built and be reduced, where possible, to reduce local flood risk. This can be achieved by soakaway (where ground conditions are suitable) or slowing flows down within your property boundary with the use of rain butts, permeable paving and rain gardens.

What to do if there is a public sewer or water main close to the proposed extension

According to our records there are no recorded public sewers or water mains within the immediate proximity of the development site. Information on this plan is provided for identification purposes only and no warranty as to its accuracy or completeness is given or implied. Please review the disclaimer on the plan for additional information.

Our sewer protection team can provide guidance on how to locate the sewer, assess the condition of the sewer, renovate where necessary and advise any extension foundation requirements. An application fee is payable and extra costs are occasionally required if, for instance a manhole requires relocating because of proposals.

If your structure requires Building Regulations, the appointed Building Control Officer or Private Inspector for the site will need to view and approve the new foundations & you should discuss the proximity of the public sewer with them.

Further information can be found on Wessex Water's website
<https://www.wessexwater.co.uk/services/building-and-developing>

5. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

6. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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

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

In this case:

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

Application Number:	P/LBC/2023/01251
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	10 High East Street Dorchester DT1 1HS
Proposal:	Erect first floor extension to provide 1 No. unit of residential accommodation
Applicant name:	Mr Miah
Case Officer:	Cass Worman
Ward Member(s):	Cllr Jones and Cllr Major

1. Reason application is going to committee:

Request from Cllr Jones that associated planning application P/FUL/2023/01247 be considered at Committee, referral by chair following Scheme of delegation consultation.

2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	Supported by Conservation Officer
Scale, design, impact on character and appearance	Conservation Officers supportive of proposal, would enhance the character and appearance of the Conservation Area
Impact on landscape or heritage assets	Conservation Officers supportive of proposal, would enhance the character and appearance of the Conservation Area, no impact on remaining heritage interest of application building (shopfront)

4. Description of site

The application building is a single storey building in the middle of High East Street, currently occupied by Bombay Nights takeaway, notable for its bright pink shopfront.

The building is Grade II listed, listed as group with Numbers 10 to 12.

The listing description is :

HIGH EAST STREET 1. 5191 (South Side) Nos 10 to 12 (consec) SY 6990 7/219 II GV Mid C19. Colour washed brick. Pitched slate roof. Brick stacks. 2 storeys and attics. 3 sashes with glazing bars on 1st floor. 2 attic dormers with sashes and glazing bars. 3 shopfronts, No 11's modern, Nos 10 and 12's mid C19, No 12's with

oblong bay front, pilasters and entablature, No 10's with modillion cornice and pent roof on cut brackets. West (Icen Way) elevation of No 12 is Ridgeway rubble with red brick dressings, and has mansard slate roof, 3 ranges of sashes with glazing bars, and 2 planked doors with segment-headed fanlights. Nos 10 to 12 (consec) form a group with Nos 1, 2, 2A and 3 Icen Way."

The history of the building itself is relatively unknown, and Officers have approached the Dorset Records Centre for historic images or any information of the history of the site but unfortunately this section of High East Street is often missing from the historic photo record.

It is therefore thought perhaps the building is a later addition or infill of a what was a larger courtyard; the shopfront is of historic interest, being a fine example of a mid 19th Century shopfront which compliments other symmetrical shopfronts up High East Street and is a positive contributor to the character and appearance of the Conservation Area.

5. Description of development

Addition of a first floor extension to provide one unit of residential accommodation.

The front elevation facing High East Street would be of brick with two simple casement windows. A pitched plain tile roof which sits subserviently between the two buildings either side would finish the front elevation, and this simple design follows advice of the Conservation Officer.

The pitched roof is then returned back to form a flat roof to the middle of the roofscape to ensure the window in the side gable elevation of Number 10A is not blocked.

To the rear, the existing parapet wall would be built up by approx. 0.6 metres, with a pitch roof behind, featuring three roof lights. This pitch roof to the rear is lesser in height than the front roof, and then returns to the central flat roof section.

The historic shopfront would be retained, with no changes required. Internally at ground floor level, a new lobby would be created to allow separation between the ground floor takeaway area, and the stairs up to the new flat above

6. Background and relevant planning history

1/E/90/000177 - Decision: GRA - Decision Date: 21/05/1990
Continue Class A3 use of premises (use for the sale of food and drink for consumption on the premises or hot food for consumption off the premises)

1/E/90/000202 - Decision: GRA - Decision Date: 22/05/1990
Erect illuminated hanging sign

1/E/90/000203 - Decision: GRA - Decision Date: 22/05/1990
Erect illuminated hanging sign

P/PAP/2022/00284 - Decision: RES - Decision Date: 20/09/2022
Written advice - First floor extension to existing property

The application is made jointly with planning application ref P/FUL/2023/01247 –
Recommended for approval

7. List of constraints

Application site is Grade II listed: LB - 10-12, HIGH EAST STREET listed building grade G2. HE
Reference: 1110579 - Distance: 0

Adjacent to Grade II listed building: 9, HIGH EAST STREET listed building grade G2. HE
Reference: 1292030 - Distance: 0

Within setting of other Grade II Listed Buildings including:

45, HIGH EAST STREET List Entry: 1218610.0; - Distance: 16.92;
43, HIGH EAST STREET List Entry: 1324433.0; - Distance: 21.09
46, HIGH EAST STREET List Entry: 1119051.0; - Distance: 17.8
8, HIGH EAST STREET List Entry: 1110578.0; - Distance: 10.36
7 AND 7A, HIGH EAST STREET List Entry: 1292026.0; - Distance: 18.12

CON - Application is within Dorchester Conservation Area - Distance: 0

8. Consultations

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

Representations received

Dorchester Town Council – *No Objection - request that a planning condition be made that the proposed extractor fan be maintained as per the recommendations stated in the Odour Assessment report submitted with the application.*

Dorchester East Ward Member Cllr Jones –

The proposed alterations will improve the street scene.

Concerns raised with regards to:

- impacts on residents to the rear of the property who feel the siting of the extractor has moved the problem from one neighbour to another
- bathroom and kitchen vents would be blocked
- windows overlook living spaces to rear
- size of the proposed accommodation does not meet technical space standards

Dorchester East Ward Member Cllr Rennie (previous Ward Cllr)–

Concerns with regards to:

- the design might not be in accordance with other properties on the street
- potential for loss of light to windows
- blocking of neighbouring vents
- overlooking into neighbouring properties

- potential impacts of abutments to neighbouring properties

DC - Conservation Officers – Support, the proposals would enhance the character and appearance of the Conservation Area and no harm to the listed building.

DC - Building Control– *Proposed lobby with inward opening doors would provide required fire separation between takeaway and residential flat*

DC – Highways – No objection. Construction Management Statement required

Representations received

Dorchester Civic Society

The Society supports this application which will provide an improved North elevation. This is subject to the rights of adjoining neighbours being preserved as to their privacy and the Right to Light.

The majority of comments made by third parties relate to planning matters and are summarised in associated Officer Report ref P/FUL/2023/01247:

Matters relating to heritage assets can be summarised as such:

No supporting structural information is provided ensuring that the existing building can withstand the additional floor – there is a potential for structural damage to neighbouring properties as a result of the proposals.

No supporting information is provided as to how the proposals would abut/join the properties on either side.

The proposals would be harmful to the setting of the Conservation Area and adjacent listed buildings – adding another storey attached to Number 10A High Street would take away the distinctive look of this property, with its distinctive narrow shopfront

The proposals would block the side elevation of Number 9 and adversely impact its setting from resultant obscuring of this part of the building.

The proposals would impact the character & appearance of the Conservation Area.

The Heritage Statement is inadequate & misleading

9. 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 - 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 when considering whether to grant listed building consent.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of

preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

10. Relevant policies

Development plan

In this case the development plan comprises:

Local Plan Adopted West Dorset and Weymouth & Portland Local Plan:

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

ENV4: Heritage assets

Material considerations

Emerging local plans:

Paragraph 49 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

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

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that 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. The effect of an application on the

significance of non-designated heritage assets should also be taken into account (para 216).

11. 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.

12. 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 unaware of any PSED considerations relevant to this application

13. Planning Assessment

Principle of development

The principle of addition of a second floor is supported by Conservation Officers who are of the opinion that the proposals would enhance the character and appearance of the Conservation Area.

Design, impact on character, and impact on heritage assets

The proposals have the support of the Conservation Officer, who sees the infill of this ‘gap’ with a suitably designed and detailed roof extension to enhance the character and appearance of the Conservation Area.

The extension is subservient to both buildings on either side of the site, the roof being set well down from the roofs of buildings on both sides which will allow both gables of these buildings to still be ‘read’.

The extension would be suitably detailed with a brick frontage (with Flemish bond as recommended by Conservation), and traditionally styled timber casement windows. The roof would be plain clay tile as recommended by Conservation.

The original historic shopfront would be retained, with no external alterations to the ground floor shop required.

Internally on the ground floor, a new lobby would be provided to ensure suitable fire separation between the takeaway and new residential flat, and a corridor established with stairs to the new upstairs. The configuration of the lobby is acceptable to Conservation Officers subject to detail being provided.

It should also be noted that the scheme is supported by the Dorchester Civic Society who comment that the application would provide an improved North elevation.

Conditions are required to ensure suitability & quality of proposed materials, joinery and method statements for abutment and internal lobby alterations.

14. Summary of issues and the planning balance

There would be no harm to significance of the heritage asset, and no harm to the setting of the adjacent listed buildings. The proposal would enhance the character and appearance of the Conservation Area.

15. Recommendation:

Grant listed building consent subject to the following conditions:

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

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

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

12673-01 Location Plan.pdf

12673-02 A Existing Plans, Elevations & Sections.pdf

12673 - 106 Proposed plans and elevations

12673 - 106 G Proposed plans and elevations

12673 - 107 Existing and Proposed Rear Elevations

12673 - 108 C Lobby Section

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

3. Prior to construction of the extension hereby approved, a detailed method statement detailing abutment and construction methodology to include details of (but not limited to) tying in/connections with adjacent buildings, surface water drainage, rainwater goods, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of protecting adjacent heritage assets

4. Prior to installation of first floor extension brickwork, a sample panel of the proposed external facing material measuring at least 1 metre by 1 metres, demonstrating the proposed brick, coursing, mortar mix and pointing detail, shall be erected on site, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with details of the sample panel as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development and in the interests of the heritage asset.

5. Prior to installation of new pitched roof, details and samples of all external facing materials for the wall(s) and roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development and in the interests of the heritage assets

6. Prior to the installation of new external windows, detailed drawings (at a scale of 1:5 section and 1:20 elevation) showing the design, materials, colour, finish and construction specifications of all new windows (and passageway door if proposed) shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be completed in accordance with the approved details.

Reason: To safeguard the character of the locality and in the interests of the appearance of the development and in the interests of the heritage asset

7. Prior to installation of any works to facilitate a new entrance lobby, a method statement including detailed annotated section drawings showing construction method, materials, details of abutment(s) and joinery details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with the details as agreed.

Reason: In the interests of the heritage asset

8. No plumbing pipes or other services (other than those shown on the approved drawings) shall be located on the exterior of the building(s).

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

Informative Notes:

1. Please ensure all conditions with regards to linked planning application ref P/FUL/2023/01247 are submitted and discharged, and thereafter works proceed in accordance with the agreed details as approved

2. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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

- offering a pre-application advice service, and

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

In this case:

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

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Application Number:	P/HOU/2024/06120		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Sunnydale White Lackington Piddletrenthide DT2 7QU		
Proposal:	Demolish store and erect a two Bay Garage / Workshop.		
Applicant name:	Mrs Alicia Eysenck		
Case Officer:	Annabel Cox		
Ward Member(s):	Cllr Haynes		
Publicity expiry date:	21 November 2024	Officer site visit date:	31/10/2024
Decision due date:	16 December 2024	Ext(s) of time:	TBC
No of Site Notices:	1		
SN displayed reasoning:	Public consultation. To front driveway along roadside		

1.0 This application is put forward to committee due to the property owner being a Dorset Council Councillor.

2.0 Summary of recommendation:

GRANT subject to conditions.

• **3.0 Reason for the recommendation:**

- 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.
- All Highways matters have been accessed and considered safe.
- The ecological impact of development has been assessed, and appropriate mitigation measures have been put forward and conditioned to ensure the protection of ecology on site.
- Protected trees have been identified and suitable a arboricultural impact assessment and tree protection plan have been obtained to inform amendments to plans and advise suitable conditions to ensure the preservation of protected trees.
- The proposed development is not considered to detract from local landscape character.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	The proposed development is considered acceptable and complies with the relevant policies, as already listed above.
Scale, design, impact on character and appearance	The proposed development would not have an adverse impact on the visual amenities of the site or locality.
Impact on the living conditions of the occupants and neighbouring properties	The proposed development would not have a significant adverse impact on the living conditions of occupiers of residential properties.
National Landscapes- AONB	It is considered that the proposal will not detract from local landscape character.
Highway impacts, safety, access and parking	It is considered that the proposal will not compromise road safety and there is sufficient parking.
Impact on trees	A tree protection order is in place on this site. An arboricultural impact assessment and tree protection plan have been submitted and inform this decision.
Biodiversity	Having had regard to the submitted Biodiversity Plan and Certificate of Approval, it is considered that the proposal will have no adverse impact on biodiversity interests.

5.0 Description of Site

The application site is located within Dorset National Landscape (AONB) but it is not located within a Conservation Area or settlement boundary.

The site lies west of the B3143 through road in White Lackington. The site is accessed by a small lane north of the site. To the east and west of the site are two neighbouring residential properties. The property to the west lies significantly lower than the application site with the land rolling down towards the River Piddle.

The north, east and south boundaries are well vegetated. A substantial fence exists along the west elevation.

Sunnydale is a two-storey detached dwelling of modern construction. To the northwest corner of the plot is a modest single storey outbuilding under a concrete tile roof. The site benefits from a large garden and adequate parking spaces for several cars.

6.0 Description of Development

The proposal seeks to demolish the existing outbuilding and erect a two-bay garage/workshop. The outbuilding shall be located in place of the existing outbuilding within the plot and constructed of timber, under a slate roof. Solar panels are to be included to the roof.

7.0 Relevant Planning History

1/E/88/000458 - Decision: GRA Decision Date: 21/02/1989

Develop land by the erection of 2 dwellings and create new vehicular access

1/E/92/000039 - Decision: GRA - Decision Date: 02/06/1992

Develop land by the erection of 2 No dwellings and construct new vehicular access

1/E/92/000285 - Decision: GRA - Decision Date: 20/07/1992

Erect house and garage, construct new vehicular and pedestrian access

8.0 List of Constraints

Poole Harbour Nutrient Catchment Area; Poole Harbour - Distance: 0

Groundwater Source Protection Areas; LOWER MAGISTON - Distance: 0

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

Area of Outstanding Natural Beauty; Dorset - Distance: 0

Wessex Water Treatment Works Catchment - Distance: 0

Wessex Water Risk of foul sewer inundation 2023 High Risk of Foul Sewer Inundation - Distance: 0

Groundwater – Susceptibility to flooding; - Distance: 0

Groundwater Warning Zones 2019; Groundwater flooding for the Piddle Valley; - Distance: 0

Higher Potential ecological network - Distance: 0

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

National Landscapes (Areas of Outstanding Natural Beauty): (statutory protection Local Planning Authorities to seek further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

9.0 Consultations

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

Consultees

1. W - Chalk Valleys Ward- No response

2. DC - Highways

No objection (received 23/10/2024) Subject to conditions

3. P - Piddletrenthide PC- No response

4. Trees

Comment (received 20/02/2025). Request for an Arboricultural Impact Assessment and Tree Protection Plan.

Comments (re-consultation received 12/06/25) No objections following the receipt of the AIA and TPP, subject to conditions.

Representations received

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

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

Summary of comments of objections:

Concerns are raised about the following points:

- Overdevelopment of the site and scale of proposal.
- Access and site Layout
- Height and Visual Impact
- Intended Use and restrictions
- Ecological concerns (bats)
- Environmental impact on trees

Summary of comments of support:

Support is expressed due to the following reasons:

- Appropriate scale
- Improved design and visual appearance when considering the existing building
- Improved ecological and environmental features

10.0 Duties

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

11.0 Development Plan

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

As far as this application is concerned the following policies are considered to be relevant.

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

- ENV2 – Wildlife & Habitats
- ENV 9- Pollution and Contaminated Land
- ENV10 - The landscape and townscape setting
- ENV 12 – The design and positioning of buildings
- ENV 16 – Amenity
- HOUS 6 – Other residential development outside DDB's

Piddle Valley Neighbourhood Plan 2018

Material Considerations

Emerging Local Plans:

Paragraph 49 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 draft Dorset Council Local Plan

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

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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4. 'Decision making' Para 39 – requires local planning authorities to 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' This 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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 National Landscapes (formerly known as Areas of Outstanding Natural Beauty) paragraph 189 requires that great weight should be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

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

12.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

13.0 Public Sector Equalities Duty

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have "regard to" and remove or minimise disadvantage and in considering the merits of this planning

application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. There is no known impact on persons with protective characteristics.

14.0 Planning Assessment

Principle of development

Whilst the application site is not located within a settlement boundary, the proposed development is a modest outbuilding that relates well to the host dwelling and is of an appropriate scale when taking into consideration the size of the plot. It shall replace an existing outbuilding and is considered to be of improved design. The proposed outbuilding is constructed of materials that are sympathetic to the surrounding environment, does not result in any overlooking or overshadowing and would result in the generation of renewable energy (solar panels) and does not detrimentally impact the ecology on site (bats) or trees (as shown in the tree protection plan and amended footprint)

The proposed development is considered acceptable and complies with policy ENV12 and HOUS6 as listed above.

Design

Both the height and footprint of the proposed outbuilding is of a scale appropriate to the plot and host dwelling. The proposed materials are sympathetic and blend in well to the surrounding built and natural environment. The proposed development would appear as a subservient addition. The proposed development would not have an adverse impact on the visual amenities of the site or locality.

Amenity

Whilst some concerns were raised by a representative regarding the intended use of the outbuilding and the possibility of overlooking, it is unlikely that the development would be detrimental to neighbouring amenity. The intended use of the building is as a workshop/garage. It is of a small enough scale that any intended use and resultant disturbance caused would be of an appropriate domestic nature. All windows are at ground floor level and any side windows (west elevation) would be unlikely to result in overlooking due to the boundary fence obstructing views. Furthermore, there is a significant distance between neighbouring dwellings with the closest building being an outbuilding/garage to a neighbouring property.

The proposed development would not have a significant adverse impact on the living conditions of occupiers of residential properties in accordance with policy ENV16 of the Local Plan.

Highways

The Highways Authority were consulted as part of this application and raise no objection, subject to conditions (which are attached). The outbuilding is unlikely to result in a significant increase in vehicles, the site has ample parking and turning and the existing access to the site is unaltered. It is considered that the proposal will not compromise road safety and there is sufficient parking.

AONB

The site has well defined boundaries and the proposed development does not encroach onto views of the wider AONB due to its position within the plot. Furthermore, the proposed scale and materials are typical of an outbuilding and considered to be subservient to the host dwelling and surrounding built environment. It is considered that the proposal will not detract from local landscape character in accordance with policy ENV1 and ENV10 of the Local Plan.

Biodiversity

Having had regard to the submitted Biodiversity Plan and Certificate of Approval, it is considered that the proposal will have no adverse impact on biodiversity interests. The proposal includes provision for the bats found on site by the inclusion of a bat box and ridge access and an appropriate condition has been added to the application ensuring compliance with the biodiversity plan.

Trees

There are two Tree Protection Orders (TPO) on site and a number of well-established trees. The tree officer was consulted and requested further information to assess how the development will impact trees. The applicant has since provided an arboricultural impact assessment (AIA) and tree protection plan (TPP). Suitable conditions are added to ensure compliance of the measures outlined within the submitted documents.

Following the carrying of the AIA and TPP, the floor plan of the outbuilding was amended to reduce it. The tree officer was re-consulted and considers the proposed development has been adapted sufficiently to ensure it does not detrimentally impact protected trees on site and as such is acceptable.

15.0 Conclusion

The proposed development complies with the development plan taken as a whole and there are no material considerations that would indicate otherwise, and the relevant sections of the National Planning Policy Framework as already listed.

16.0 Recommendation: Grant, 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:
23/026/01 Location Plan
23/026/03 Proposed Block Plan
23/026/04 Existing Elevations/Floor Plans
23/026/05 Proposed Elevations/Floor Plans

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

3. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Impact Assessment, Arboricultural Method Statement by NB Tree Management Arboricultural Consultancy ref: Sunnysdale–29.5.25 date: 29th May 2025, setting out how the existing trees are to be protected and managed before, during and after development.

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

trees.

4. The proposed car port shown on Drawing Number 23/026/05 Rev C hereby approved once constructed shall be maintained and available for the purpose of parking a motor vehicle. It shall not be converted to a use other than as a garage for the purpose of parking a motor vehicle by the provision of doors and/or walled enclosure.

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

5. The detailed biodiversity mitigation, compensation and enhancement strategy set out within the approved Biodiversity Plan, certified by the Dorset Council Natural Environment Team on 14/01/2025, must be strictly adhered to during the carrying out of the development.

The development hereby approved must not be first brought into use unless and until:

- i) the mitigation, compensation and enhancement measures detailed in the approved Biodiversity Plan have been completed in full, in accordance with any specified timetable.
- ii) evidence of compliance, including photographic evidence, in accordance with section J of the approved Biodiversity Plan has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved Biodiversity Plan and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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

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

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The application was acceptable as submitted and no further assistance was required.

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