

John Pickford (9 The Lane Kingston)

Dear Licencing Authority,

I am writing to object to the request made by Kate Fitzgerald for permission to sell alcohol at her premises at 16 West Street, Kingston, in the Parish of Corfe Castle.

In my view this application for an alcohol licence MUST be considered in the light of an application made by Kate Fitzgerald in March 2018 to the Purbeck District Council planning authority for change-of-use planning permission to convert the existing residential property at 16 West Street, Kingston, into a shop.

The proposal then was to open a traditional village shop that would provide an amenity for the village by selling basic convenience goods and groceries. Indeed the applicant sent a flyer to all Kingston residents asking for information about the pre-existing village shop and post office (closed some 30 or more years ago) and inviting suggestions about the type of produce which residents would like to see for sale in the shop. In spite of concerns and strong opposition from a significant number of Kingston residents, and especially from Number 16 West Street's immediate neighbours, Planning Permission was granted. But at NO point did the applicant indicate last year that part of her plan for the property was to use it as a base from which to sell alcohol.

Nearly 18 months on there is still no new village shop in existence and no new amenity available for the village. But the applicant is now asking for permission to sell alcohol from her proposed shop, which does not yet exist. Neither village residents nor the local authority are in any position therefore to weigh the risks posed by this application for an alcohol licence against any kind of track record.

It has also become apparent that the applicant's core business plan is to open a hamper business, based at 16 West Street. The only indication that any kind of trade is being conducted at the property is the presence of hampers in the street-facing window.

I shall now outline my core objections to the licence application:

**\* A PUBLIC NUISANCE**

The location for the proposed sale of alcohol is in the very heart of our village. It is close to the historic village pump and to open areas, including stone steps down to the highway, a beautiful purbeck stone flat-topped wall, and mown grassland adjacent to the wall. These are all areas where people can and will gather, having purchased alcohol at Number 16 West Street, if a licence is granted. This combination of openly accessible areas and the sale of alcohol has the potential to create a significant public nuisance and to destroy the peace and tranquillity of this most unspoilt of Purbeck villages. Moreover the applicant lives with her family at Woolgarston 2 miles away and as a non-resident of Kingston will be in no position to ensure that any nuisance is detected and contained.

**\* PUBLIC SAFETY**

The stone pavement immediately outside 16 West Street is elevated above the highway by approx. 2 metres and slopes steeply to the east. In winter with ice or frozen rain on the ground this area of paving can be treacherous and in summer the high traffic volumes at certain times along West Street mean that any pedestrian who is carrying or consuming alcohol risks collision with moving motorised traffic and bicycles.

**\* PROTECTION OF CHILDREN FROM HARM**

From Easter until the end of the school year in July large numbers of children (aged mainly 14 to 16) pass through Kingston (unaccompanied by adults) on Duke of Edinburgh Award organised hikes. The presence of a venue selling alcohol, especially when combined in a "village shop" setting with other less harmful items such as sweets, coffee and soft drinks, risks being a temptation too far for a small minority of these children.

**\* PREVENTION OF CRIME AND DISORDER**

Corfe Castle Parish Council

To whom it may concern.

Corfe Castle Parish Council were invited to submit comments regarding a Premises Licence Application at The Old Post Office, Kingston, Dorset.

The Council have previously submitted comments when the planning application for change of use was sought and the extract below is from the Officers Report;

**Corfe Castle Parish Council**

***No objection to the proposal subject to listed building consent being sought, signage being considered and all sales are strictly within the premises and not outside the premises***

**Officers Response**

*Listed Building Consent is not required for a change of use **however any alterations either internally, or externally**, will require it. The applicant has been advised that this is the case. Any signage will require Listed Building Consent and potentially separate Advertisement Consent. It is not appropriate to condition that all goods purchased in the shop can only be consumed within the shop.*

The Council are not aware that there is any secure wall/barrier between the shop and the rest of the premises. They have not received any subsequent listed planning applications and on that basis they submit the following comments in response to the Premises Licence Application;

*The Council's reservations about the application are that the premises is also used as an Air B-and-B and there is no obvious secure separation between the licenced premises and the rest of the property.*

*The Parish Council object to the application on the grounds that the building is currently in multiple use and the premises would not be a secure unit, this fails to promote the licensing committees objectives of the protection of children from harm and the prevention of crime and disorder.*

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Kingston already has an excellent public house and inn selling alcohol and food, and located only about 25 metres from 16 West Street. The pub within its premises and walled garden is able to "contain" any potential disorder linked to alcohol and thereby ensure that it does not "leak" into the village. The premises at 16 West Street will not have that advantage of containment and there will be a continuing risk throughout the day of alcohol related disorder spilling into the village.

It is important to make clear in this regard that during peak tourist periods such as the recent August Bank Holiday visitor numbers in Kingston can be very high. The mix of freely available alcohol, large numbers of people and open access to the village is a potentially volatile cocktail which no responsible licencing authority should risk imposing on Kingston.

To The Licencing Team – Dorset County Council

OBJECTION re application for alcohol Licence for premises at 16 West Street Kingston , Corfe Castle, Wareham, Dorset.

As a neighbour we object to this application for an alcohol licence on the grounds of :

Public Nuisance

Reduction of tranquillity

Very limited parking in the actual village

Likelihood of Litter

Noise

Public safety of pedestrians

If a Licence for alcohol sale be granted, we trust that it applies only to hampers prepared at the house and does not allow sale of alcohol to the general public.

Background to Objection

**Kingston is a very small village in a CONSERVATION Area**

It is valued as a peaceful place to live by residents. Visitors congregate at the nearby Scott Arms public house or walk through the three short lanes admiring the traditional cottages on their way to the headland walks.

There is no parking in the immediate area except for the Scott Arms car park and very limited kerbside parking. Even residents regularly have to search for parking places. Some public car parking is at a distance up the hill en route to the headland walks. The introduction of alcoholic sales is certain to tempt walkers and litter to become a problem that does not currently occur. Neither is there any convenient place for visitors to sit or stand near the proposed shop (which is a house that also operates as an air BnB) except outside neighbouring houses or sitting on garden walls or pavements.

Mr & Mrs Gaffney, 4, The Lane Kingston , Corfe Castle 26 August 2019



To The Licencing Team E – Dorset County Council  
Copy: Ian Carter

OBJECTION re application for alcohol Licence for premises at 16 West Street Kingston ,  
Corfe Castle, Wareham, Dorset.

As a neighbour we object to this application for an alcohol licence on the general grounds  
of :

**Nuisance-** Kingston is a very small old estate village in the Conservation Area of  
Purbeck. An alcohol licence will likely encourage noisy and related issues in the street  
and around the nearby residences which would affect the character of the Village  
and a reduction of the usual **tranquillity**.

**Limited Parking.** There is already very limited parking in the actual village.

**Likelihood of Litter.** With a shop selling alcohol in whatever form there is likely to be  
a significant increase in litter to the detriment of the surroundings which are  
currently very tidy.

**Noise.** Inevitably if alcohol sales are permitted in whatever form it is highly likely that  
there will be a material increase in noise in the immediate surroundings.

**Public safety of pedestrians** is of course an issue anywhere alcohol sales are  
permitted in whatever form are present especially in this case with steep, uneven  
and often slippery pavement outside the shop.

**The applicant is not resident** in the property so it is not clear how a licence could be  
properly controlled and indeed enforced.

The property is used as an Airbnb but there is **no plan to separate the shop from the  
Airbnb** which would seem to mean that the alcohol stores will be at some level of  
risk and enforcement will be difficult if not impossible.

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We note that the **Corfe Castle Parish Council** objected to the Licence on the grounds  
that the **building is currently in multiple use and therefore it would be  
inappropriate premises for the sale of alcohol** and we agree with this which adds to  
our objections above.

Further Background to Objection

**Kingston is a very small village in a CONSERVATION Area**

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It is valued as a peaceful place to live by residents. Visitors congregate at the nearby Scott Arms public house or stroll through the short lanes admiring the traditional cottages on their way to the headland walks.

There is no parking in the immediate area except for the Scott Arms car park and very limited kerbside parking. Even residents regularly have to search for parking places. Some public car parking is at a distance up the hill en route to the headland walks. The introduction of alcoholic sales is likely to tempt walkers. There is no convenient place for customers to sit or stand near the proposed shop (which is a house that also operates as an Airbnb) except outside neighbouring houses or sitting on garden walls or pavements.

If a Licence for alcohol sale is granted, we trust that it can be applied only to the luxury hampers prepared at the house and does not allow sale of alcohol to the general public

A handwritten signature that has been completely obscured by a thick black marker stroke.A handwritten signature that has been completely obscured by a thick black marker stroke.

Mr & Mrs Gaffney, 4, The Lane Kingston , Corfe Castle 10 September 2019

PUBLIC HEALTH & HOUSING  
23 AUG 2019

10. West Street  
Kingston.  
RH20 5LH.

Dear Sir,

I've lived at No 10 for many years. and I would like to strongly object to the proposal to turn the Old Post office at No 16 into an off license. We already have a busy pub in the village and so another alcohol selling premises would impact heavily on the peace and quiet. It would cause noise, parking issues, and drunk/disorderly behaviours.

Richard Notley.

James Pembroke

My wife and I bought 18 West Street, Kingston 24 years ago. We have lived there on and off ever since and raised our children here. I was brought up on the Isle of Purbeck. Our house is one third of a large detached building. 16 West Street makes up the other two thirds.

### **My objections in brief**

1. The prevention of a public nuisance
2. The prevention of disorder and Public safety
3. Protection of children from harm
4. The permission granted in April 2018 was for a shop – not an online hamper business
5. This application is in breach of restrictive covenants on the property so the applicant has no legal basis for making this application.
6. Is there a proven local need for the sale of alcohol to a small community with a thriving pub?
7. There are other matters which contradict the officer's report of April 2018 on her original application to start a shop.

### **Background**

On February 8th, 2018, Kate Fitzgerald of Woolgarston, applied for planning permission *'The proposal is to re-open The Old Post Office, Kingston as a shop and tea shop. Request is for change of use for the existing shop (which has been used as part of the residential dwelling since 1990) to A1 and A3. The retail outlet would sell food, drink and local produce, and the space would also provide for a small number of tables for the sale of tea, coffee and cake.'*

In the design and access statement, she said her intention was *'to stock local produce and essential items so that residents find it convenient..... and to return the shop to its original use as a village amenity and retail outlet, whilst retaining the residential status of the proprietor's dwelling.'*

Despite regular communication about all her other planning applications, Kate never mentioned the 2018 one which would have a very negative impact on us who share the same building. When we contacted her, on March 17th, 2018, she told us that she intended to launch an online hamper company whose main target audience will be businesses making corporate gifts – not locals or visitors. The shop would be a showcase for her products and coffee would be the lure to attract them. There was no mention of alcohol.

I have now discovered that Dorset Hamper Ltd was incorporated on March 5th, 2018, which she omitted from her application and she has just launched a website, [www.dorsethamper.co.uk](http://www.dorsethamper.co.uk).

At the time, we could only object to the opening of a shop because she made no mention of her intention to open a hamper business in her application. Despite over 20 objections due to noise, litter and disturbance, and the recommendations made by Corfe Parish Council at the meeting on April 9<sup>th</sup>, that *'Listed building consent is sought, satisfactory signage is considered, all sales and consumption of sales under A1 use are strictly within the premises and not outside of the premises'*, permission was granted on April 25th, 2018.

Since then, she has not applied for signage nor for listed building consent to use the front door, nor has she applied for backdated listed building consent for the internal wall she demolished to make the shop larger. She has never opened the shop, and, on August 10<sup>th</sup>,



2019, she told us that doesn't want to. She said she only applied for a shop last year so that she could then apply for a licence for her mail order hamper business.

**Objection to Application for 'sale of alcohol for a website business.'**

Again, without personally warning us, her closest neighbours, she made the application on July 30th, 2019.

However, even before submitting her licence application, she had already started to offer alcohol in two of her four hampers on her website.

In her application, she states that 'she plans to reopen as a shop in 2020, and support website sales commencing 2019.... the licence is requested to support the sale of gift hampers containing local Dorset produce only initially. Once the retail shop is opened, sale will be of locally produced alcohol products and food. Sale of alcohol is targeted as gift items and combined with other local products.'

**1. There is no proper legal basis upon which she is entitled to conduct any sort of a business from 16 West Street; she does not have planning permission to run a business from the premises - just a village shop for the local community**

I would like to understand how an online hamper business is permissible given in the officer's report of last year (see attached '6-2018-0065-officers-report.pdf'), Peter Walters, said if the shop is to be 'used for a hamper business - primarily storage for online orders'... 'this may require planning permission. However, the applicant has applied for an A1 use, therefore it is this which is being considered by officers.' I have asked the council to see any such written permission but they have simply said they are investigating the matter.

**2. The prevention of a public nuisance**

We are concerned about the sale of alcohol since no one can stop walkers or cyclists consuming cans of beer on the bank or pavement outside our house and the shop. The Scott Arms already acts as a hub for visitors, but it is self-contained. This will cause noise, litter and disturbance.

***Quotes from policy documents***

***CPRE Planning Campaign Briefing 11 – Tranquility (July 2014)***

*The National Planning Policy Framework (NPPF) introduced tranquility to national planning policy and applies it to two types of area: "Local Green Spaces- relatively confined and often urban or peri-urban areas – and areas of tranquility" - more extensive and rural areas.*

Comment: On the CPRE map of South West England in which the area is graded 'most tranquil'.

*Policy guidance to avoid potentially noisy developments in areas, which have remained relatively undisturbed by noise nuisance and are prized for their recreational and amenity value for this reason (PPG24)*

What may pass as an acceptable level of nuisance and disorder in a large town like Weymouth will be on a far higher level than a hamlet. For this reason, The Scott Arms pub in the village has been prevented from having live music.

### **3. Public safety and prevention of disorder: Congestion on the pavement outside numbers 10-18 West Street**

The coffee shop will become an assembly point for walkers and cyclists, keen for a cold hot drink before setting off, or having a break. Given the Fitzgeralds are only allowed to have two or three tables inside, people will be inclined to drink their coffee and alcohol on the pavement or sit on the bank, which could be dangerous. There will be queues due to there being only one person working the machine. There will be obstruction on the pavement. The pavement is famously slippery.

### **4. Protection of children from harm**

A great many school groups stop at the village, either before setting off or stopping on the way. I cannot see how their safety is secure when they will have to walk through groups of adult cyclists and walkers who will be saving on the cost of a pint at the Scott Arms.

However, worse than this is that the shop is not a secure premises because the planning and conservation authorities have insisted that the two doors from the residential side are kept open. In March 2018, the applicant told the council that she intended to live at 16 West Street, despite having bought another house in Woolgarston where she now lives, so the planning officer felt this was not an issue. The house is now let to holidaymakers via Air BnB. So, the residential side will be empty when she has no bookings – about half the year.

Air BnB renters and their children will have access to the shop (and its alcohol) via the two doors leading to the residential part of the house. The Council were concerned, from a listed building perspective, that she would sever the shop from the house.

*April 25<sup>th</sup>, Planning Officer'*

*Impact on the living conditions of the occupants of neighbouring properties*

*The proposed use for the unit is for A1 retail. The rest of the existing unit would be occupied by the owners of the shop. This will mitigate some of the impact that the proposal may otherwise have.*

**March 29th, 2018 Benjamin Webb, Design and Conservation Officer (see attached report)**

*The building was designed to house a post office/shop. A change in use of that part of the dwelling which historically served this role back to that of a shop would not therefore be objectionable in principle. This would indeed be compatible with the character of the building provided the use was not entirely severed from that of the dwelling, or otherwise obscured the historic functional subdivision of space.*

*In an operational sense it isn't entirely clear where stock would be kept or staff facilities would be located? It is important to note that whilst the application states that the change in use would entail 'no major changes' to the building, it does not state that there would be 'no changes'. In order to properly assess what the impact of the change of use would be therefore, some clarity about what changes are required should be sought.*

And Kate replied on April 5th, 2018, in the attached email: *I can confirm that the shop use will not be severed from that of the dwelling. The doorways between the shop and the adjoining accommodation will be left intact and the historic functional subdivision of space will be restored i.e the dwelling rooms will form kitchen and living rooms of a home, with the shop room returning to its historic purpose.*

## **5. She is in breach of restrictive covenants**

I appreciate that this may be deemed irrelevant, but there is no legal basis on which she can apply for a licence.

What is being proposed is clearly outside the restrictions contained in Part 1 of the Schedule. ('PO-conveyance deeds - 19.03.18 attached).

Part 1a of the first schedule (page 6) stipulates that 'no trade or business shall be carried upon any part of the business other than that of Post Office and General Stores Restaurant and Bed and Breakfast establishment and no part of the property shall be used otherwise than as a single private dwellinghouse with Post Office and General Stores Restaurant and Bed and Breakfast establishment in the occupation of one family.'

In Part 1 (3), there is a prohibition on bills, placards, signs and advertisements, which she says she intends to erect. This would be fine for a shop but the covenant do not allow for a sign for an online hamper business, e.g. 'DORSET HAMPER'. And she cannot have a shop without a sign.

Part 1 (4) restricts any actions which may become a nuisance or annoyance.

Plainly, having a commercial premises next to our house, in which people can buy takeaway coffee and alcohol which they can drink on the bank outside our house will be a nuisance.

## **6. Is there a proven local need for the sale of alcohol to a small community with a thriving pub?**

### *e.) Page 86 - Spatial Objective 4: Support local communities*

*Policy CF: Community Facilities and Services*

*Replacement Facilities and Services*

*Development (including change of use) that would replace an existing community facility/service with a new community facility or service will only be permitted if:*

- \_It replaces a facility(ies) or service(s) that has been proven to be no longer needed, suitable or viable; and*
- \_It would provide an alternative community facility(ies) or service(s) for which there is a proven local need, e.g. as identified in a community, parish or town plan.*

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The manager of the Scott Arms says there is capacity for 100 covers inside and 300 covers outside. It is often full inside and outside in the summer. Yet, the reduced car park now only has spaces for 16 cars.

## Peter Walters

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**Subject:** FW: 6/2018/0065 The Old Post Office, Kingston

**From:** kate fitzgerald [REDACTED]  
**Sent:** 05 April 2018 15:57  
**To:** Peter Walters <PeterWalters@purbeck-dc.gov.uk>  
**Subject:** RE: 6/2018/0065 The Old Post Office, Kingston

Hi Peter

Thank you for forwarding the comments from Benjamin Webb. I have reviewed them and am able to respond as follows:

I can confirm that the shop use will not be severed from that of the dwelling. The doorways between the shop and the adjoining accommodation will be left intact and the historic functional subdivision of space will be restored i.e the dwelling rooms will form kitchen and living rooms of a home, with the shop room returning to its historic purpose.

In terms of staff facilities, I can confirm that there is a downstairs toilet adjoining the utility room to the rear of the shop, which may be used. It is intended that the utility room will provide a space for staff to make tea and coffee. A sink for hand washing will be installed at the rear of the shop as well.

In terms of stock, it is planned to keep levels to a minimum, using cupboards, shelves and under counter storage within the shop itself.

With regard to changes to the building, it would have been more accurate if I had stated that no changes will be made. Only additional internal fittings will be required within the shop. These are limited to the installation of a counter with storage and fridge beneath, the installation of a sink for handwashing at the rear of the shop, and the installation of shelves for products. These will not impact the building and will of course, be removable.

I hope that this helps to give more clarity. Let me know if there are further questions.

Many thanks  
Kate

Sent from [Mail](#) for Windows 10

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**From:** Peter Walters <PeterWalters@purbeck-dc.gov.uk>  
**Sent:** Wednesday, April 4, 2018 11:45:27 AM  
**To:** [REDACTED]  
**Subject:** RE: 6/2018/0065 The Old Post Office, Kingston

Dear Mrs Fitzgerald,

Thank you for your amended plan, I have asked for it to be uploaded to our system. The Design and Conservation officer has asked for some clarity regarding a couple of points regarding the business. I have attached the comments. I would appreciate it if you could consider them and respond?

Kind regards

Peter Walters  
Senior Planning Officer

## Planning and Community Services

Working Days: Mon – Weds & Fri all day. Thursday am only

Purbeck District Council | Westport House |  
Worgret Road | Wareham | Dorset |BH20 4PP

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Website: [www.dorsetforyou.com](http://www.dorsetforyou.com)

**Save paper! think before you print!**

# **THE OLD POST OFFICE, 16 WEST STREET, KINGSTON DORSET**

## **Proposed change of use to A1 and A3**

### **Design & Access Statement**

#### Introduction

The Old Post Office is a semi-detached dwelling situated on the north side of West Street in Kingston. This proposal is for the change of use of a part of the dwelling to A1 and A3 use.

#### Status

This building, along with No18 attached to the west, is Listed Grade II, for its Group Value. It was listed on 10 March 1986. It also stands within the Kingston Conservation Area and the Dorset Area of Outstanding Natural Beauty.

#### History

According to the Listing description, the building dates from the middle part of the 19<sup>th</sup> Century. Kingston is an Estate village and most of the buildings in it were commissioned or built by the Estate up until the latter part of the last Century: it may be that its construction is on record.

In 1990 permission was requested for No16 to cease being the village Post Office, shop and a tea room (documents available on the planning portal). It has not been altered externally, except from the removal of any signage, and the posting-box built into the front elevation is still in use.

#### Description

Number 16-18 West Street is not typical of the dwellings of the village, being considerably taller overall than most surrounding buildings (which are generally of one storey plus attics, set out parallel to the highway). It does, however, share the same building materials: Purbeck stone, walls and roof. It stands in an elevated position on a bank directly opposite South Street; and at the rear, the ground soon falls away steeply to The Lane.

The architectural composition is of a pair of gables facing the highway with a slightly recessed centre section (which is part of No16). Being set on a slope, the gable of No18 rises higher than that of No16. There are several tall ashlar chimneys. The layout is reflected at the rear where the gabled sections of the building project to a greater degree: in the case of No18, there has been further development beyond the original gable. This layout clearly originally created a 'back yard'; but this has been infilled – possibly at some time in the 20<sup>th</sup> Century – with a single-storey extension currently housing no16's Kitchen.

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#### Appraisal and Significance

No 16 appears to have been purpose-built as a shop and proprietor's dwelling and as such it remains recognisable.

The room which originally housed the shop, has been used as a reception room and a downstairs bathroom in recent years. A modern partition was put between them which has now been

removed, returning the shop to its original size and shape. A false ceiling was built to hide plumbing in the upstairs bathroom at the north end of the room, and this will have to be reconstructed. No other major changes have been made, the shop door remains in place, and the floorboards and wooden boarded ceiling remain visible. It is presumed that both the window on the east side, and the south facing bay window are original.

The residential dwelling consists of a four-bedroom house, with kitchen, bathroom and 2 further reception rooms. Work is currently underway to improve the dwelling's facilities, including the demolition and reconstruction of the kitchen extension, the addition of an upstairs bathroom, and the re-opening of the door on the east side. These were approved under planning applications 6/2017/0429 and 6/2017/0616.

## Proposal

It is proposed to return the shop to its original use as a village amenity and retail outlet, whilst retaining the residential status of the proprietor's dwelling.

In keeping with the intention to provide a village shop to the local community, as far as possible, the shop will be open throughout the year for the sale of food and drink and local produce. The proprietor has a particular interest in Dorset produce and intends to create an outlet for local producers and businesses to sell to visitors and local people. Opening hours will be during the day time, and up to 7 days a week. The area is popular with walkers and recreational visitors, and it is envisaged that the sale of tea and coffee to these visitors on the premises would help to increase footfall and make the shop financially viable.

The intention is to retain the features of the Victorian village shop as far as possible. Access to the shop will be via the existing shop doorway. The doors between the shop and the residential parts of the building will remain in place but be closed and locked as required. The existing windows will be retained, and the fireplace will remain. A counter, shelving and tables will be required inside, but no major changes to the building are envisaged.

## Accessibility

These proposals will have a neutral effect on the accessibility of the residential parts of the dwelling.

Customer access to the shop will be via the original entrance, which has 3 stone steps leading from the pavement to a stone tiled wooden porch. The double door will provide an opening of 1.15m width into the shop.

It is expected that most visitors to the shop will arrive by car. Parking is readily available on the street in Kingston village throughout most of the year. In the peak summer months, on street parking is busier in the afternoons as the neighbouring pub, The Scott Arms, is typically more popular at weekends and during school holidays than its own car park can accommodate. However, there is a car park along West St, provided by the Encombe estate which is within 200 yards of the proposed shop.

## Biodiversity

These proposals will not affect the habitat of any protected species.

## Conclusion

These proposals will have a positive impact by returning the building to its historic purpose, and by supporting local producers and suppliers with the sale of their goods. It will provide a helpful amenity to local residents as well as visitors to the area.

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## Application details

<b>Ref:</b> 6/2018/0065	<b>Applicant:</b> Mrs Kate Fitzgerald	<b>Case officer:</b> Peter Walters
<b>Address:</b> The Old Post Office, 16 West Street, KINGSTON, BH20 5LH		
<b>Description:</b> Change of use from residential to A1 use (retail) (revised proposal)		
<b>Consultee:</b> Benjamin Webb MRTPI IHBC, Design and Conservation Officer		
<b>Date:</b> 29 March 2018		

## Introduction

Purbeck District Council aims to facilitate appropriate development/other works wherever possible. This document sets out the advice of the Council's Design and Conservation Officer and includes any recommended conditions. The case officer will take account of this advice along with that of other consultees, and other material planning considerations in coming to a recommendation to either grant, grant following receipt of amended details, grant with conditions, or refuse the application.

**Have pre-application discussions taken place?** No

## Overall opinion

Further information required

## Key issues

### Issue 1 – Impact on listed buildings and their settings

- Further information required

It is a statutory duty under section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 as amended for Local Planning Authorities to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest it possesses. Case law has confirmed section 66(1) provides a strong statutory presumption in favour of preservation (i.e. doing no harm). Section 66(1) is amplified in policy terms by the National Planning Policy Framework (in particular paragraphs 132 and 137) with regard to the overlapping concept of significance (heritage value), and Policy LHH in the Purbeck Local Plan.

It is noted that the description of development has been changed to change to A1 only. This removes some concerns that would have been raised regarding likely changes required to achieve an A3 use.

The building was designed to house a post office/shop. A change in use of that part of the dwelling which historically served this role back to that of a shop would not therefore be objectionable in principle. This would indeed be compatible with the character of the building provided the use was

not entirely severed from that of the dwelling, or otherwise obscured the historic functional subdivision of space.

In an operational sense it isn't entirely clear where stock would be kept or staff facilities would be located? It is important to note that whilst the application states that the change in use would entail 'no major changes' to the building, it does not state that there would be 'no changes'. In order to properly assess what the impact of the change of use would be therefore, some clarity about what changes are required should be sought.

## **Issue 2 – Impact on Kingston Conservation Area**

- No Objection

It is a statutory duty under section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 as amended for Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law has confirmed that section 72 provides a strong statutory presumption in favour of preservation (i.e. doing no harm). Section 72(1) is amplified in policy terms by the National Planning Policy Framework (in particular paragraphs 132 and 137) with reference to the overlapping concept of 'significance' (heritage value) , and Policy LHH in the Purbeck Local Plan. The Kingston Conservation Area Appraisal forms a key point of reference.

The building occupies a prominent position within the village and would have historically provided an important local facility. Re-establishing a small shop here would potentially be both compatible with the building (see Issue 1 above) and historic context, and would reintroduce some vitality to the location. It seems reasonable to suppose that there might be some increase in visitor parking, but given the small size of the shop it seems unlikely that this would be of such a scale or magnitude that it would cause harm to the conservation area.