

Application Number:	P/LBC/2021/00827
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Old Military Hospital Grove Trading Estate Dorchester Dorset
Proposal:	Alterations to facilitate the conversion of former military hospital to 5 No. flats (C3)
Applicant name:	George Crook & Sons
Case Officer:	Simon Sharp
Ward Member(s):	Cllr Canning and Cllr Fry

1.0 Reason for referral

- 1.1 The application is being referred under the Council's scheme of delegation given the outstanding objections from the ward councillors and the Town Council. Their objections raise matters which are material to the determination of the application.

2.0 Summary of recommendation:

- 2.1 Grant consent subject to conditions

3.0 Reason for the recommendation

- 3.1 The development secures the preservation of a designated heritage asset, the applicant having robustly evidenced the lack of demand for an employment use at the site. The level of harm to this asset is less than substantial and outweighed by the public benefits of securing a new use for the building.

4.0 Key planning issues

Issue	Conclusion
Heritage	The less than substantial harm arising from the proposal is outweighed by the public benefits of securing a new use for this prominent building within the street scene and one of the few surviving elements of this former military site.

5.0 Description of Site

- 5.1 The building to be converted is grade II listed. It is the former military hospital serving the Marabout Barracks.
- 5.2 The building sits on the west side, street frontage of Miller's Close within the heart of the Grove Trading Estate. The original range is the northern, lower element, built in Flemish bonded red brick in 1799. The façade features paired six-over-six vertical sliding sashes. A later, timber porch projects from this façade. Of similar date to the porch, a higher range faced in red stretcher bond brick extends southwards from the original range.
- 5.3 In the later 1950s the military use of the site and the barracks ceased. Extensive demolition and redevelopment of the surrounding area occurred in the 1960s and 1970s and the development from this time characterises the physical setting of the building today.
- 5.4 The surrounding area includes an extensive mix of industrial and storage and distribution uses (classes E, B2 and B8 as defined by the amended Use Classes Order 1987). These are housed in an eclectic mix of predominantly late C20th buildings.
- 5.5 The building's last use in the 1990s was offices for a coach/travel company. This use is not considered to have been abandoned, indeed, as will be evidenced in this report, the building has been marketed for office use in recent times. This office use is considered to fall within class E of the amended Use Classes Order 1987.

6.0 Description of Development

- 6.1 The proposal is for the conversion of the building into 5 dwellings (operational development and a material change of use). The plans were amended during the course of the application – the amended layout provides more open plan living space.
- 6.2 The principal façade facing the street is to be preserved with no changes. The same is true of the north and south facing side elevations. The interventions to the rear, west facing elevation are limited. They include the insertion of windows at ground floor level to the later C19th range and an additional ground floor window on the same elevation within the earlier, original building.
- 6.3 Internally, there is a reordering of the spaces at ground and first floor levels both within the original, 1799, building and the Victorian extension (the C19th range). The resultant floor plans propose 5 self-contained, open market flats. They can be summarised thus: -
 - 2-bed ground floor flat within the original building with separate lounge and kitchen/diner with retention of existing central chimney breast (the original layout was divided into rooms). Access to this dwelling is via a retained subservient door within the principal façade.

- 1-bed ground floor flat within the original building with separate kitchen, dining and sitting rooms (the original layout was divided into rooms). Access to this dwelling is via the retained shared lobby which, in turn, is accessed from the retained Victorian porch.
- 2-bed ground floor flat within the Victorian element with open plan kitchen/dining/sitting space. Access to this dwelling is via another subservient, existing doorway within the principal façade (it is proposed that one would descend a short flight of stairs into the living space where one currently uses a ramp to gain the ground floor level).
- 2-bed first floor flat within the original building with separate kitchen plan sitting/dining room with retention of the existing central chimney breast (the original layout was divided into rooms). Access to this dwelling is via an existing secondary, external staircase attached to the north facing gable end of the building (with enclosed landing porch).
- 3-bed first floor flat that spans the Victorian element and part of the original building. It has an open plan kitchen/dining/sitting space. Access is via the original stairs that ascend from the shared lobby (shared with the 1-bed ground floor flat). Entrance to the ground floor lobby is through the retained porch projecting from the principal façade.

7.0 Relevant Planning History

7.1 On 22nd March 2019 applications for planning permission (WD/D/19/000867) and listed building consent (WD/D/19/000868) were received by West Dorset District Council. The applications were by the same applicant as for the application under consideration now but were for conversion of the offices to 6 dwellings. The applicant appealed against non-determination and the Inspector appointed by the Secretary of State issued a joint decision letter for both appeals on 4th August 2020 (appeal ref APP/D1265/W/20/3248499).

7.2 The appeals were dismissed.

7.3 In the decision letter, the Inspector determined that: -

“The proposed conversion of the building to residential accommodation would require the erection of a number of partition walls which would appreciably erode the evidential and historic value of the listed building as a former hospital. As a result of the proposed subdivisions, the open plan form of the building would be unacceptably diminished. In the absence of clear evidence to the contrary, I find that the proposed development and works would be too invasive and cause unacceptable harm to the special interest and significance of the listed building.” (para. 11)

7.4 They continued by stating: -

“Although external alterations would overall remain limited, it is of note that one of the ground floor windows to the rear elevation would be blocked and a new opening would be created, thus disrupting the otherwise largely cohesive pattern of fenestration which contributes to the significance of this designated heritage asset. Whilst the proposed changes to the openings would not be fatal to the scheme by themselves, they nevertheless add to my concerns in respect of the proposed development and works.” (para. 12).

7.5 In summarising the heritage duties, they concluded: -

“The proposed development and works would fail to preserve the special architectural and historic interest of the Grade II listed building. As well as being contrary to the requirements of the Act, the proposal would therefore not accord with paragraphs 194 and 196 of the Framework and LP Policy ENV4. Amongst other things, this policy requires applications to be weighed against the public benefits of the proposal, showing that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset.” (para. 14)

8.0 List of Constraints

8.1 The building is Grade II listed. It is identified in the statutory listing as: -

“Former Hospital, Marabout Barracks. SY 6890 7/273 II 2. 1799. Chequer brick. Hipped slate roof. Brick stacks. 2 storeys. 10 ranges of sashes with glazing bars, those 3 at west end much taller. 2 doors with fanlights. 1 C19 porch.”

9.0 Consultations

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

9.2 DC Ward Councillors

Cllr Canning and Councillor Fry have both objected.

Officer's note - Their comments are detailed in the report for the corresponding application for planning permission, but they do not raise matters relevant to this application for listed building consent.

9.3 Dorchester Town Council

Objection

Officer's note – The Council's comments are detailed in the report for the corresponding application for planning permission but they do not raise matters relevant to this application for listed building consent.

9.4 DC - Conservation Officers

Support, subject to conditions:

In our previous comments we raise a number of concerns relating to the extent of subdivision of the S wing; to the apparent differences in the rebuilt chimney stack and fireplaces in the N wing; to the over-domestication of the building's setting; to the lack of certainty as to the optimum viable use; and to the extent of stripping out of the building's interior, for which no justification (or was provided and which is likely to have reduced the chances of the building's potential reuse owing to the resulting costs for refitting.

Revised drawings and additional information have been submitted in response to some of these concerns. The ground- and first-floor plans of the S wing have been revised to attempt to retain a greater legibility of the open-plan space, which we have previously identified as contributing to the building's significance. The site boundary has been revised to comprise a (taller) brick wall with piers at gate positions.

Additional information on the occupation and marketing of the building has been provided in the form of a timeline and viability data. The only matters which appear unchanged are the reinstated chimney and the lack of information, or Listed Building Consent information, relating to the extent of stripping out of ceilings and wall finishes internally.

The amendments have resulted in some improvements to the arrangement of new partitions and spaces in the S wing and continues to reinstate some previous partitions, though these are not themselves original to the building. Notwithstanding these improvements, the subdivision of the ward space still represents a detrimental change to the legibility and appreciation of the building and its original purpose.

However, the revised boundary treatment results in a much-improved external aesthetic, one more reflective of the building's former use and current, very non-domestic setting. In addition, the supplementary marketing information has demonstrated more clearly that the period in which the building has sought a more complementary use has been extensive.

Taking all the above into account, we still consider that the proposals would result in **less than substantial harm** to the significance of this designated heritage asset, which again remains consistent with the assessment of the applicant's Heritage Statement (p. 17).

PUBLIC BENEFITS / BALANCED JUDGEMENT (NPPF, PARAS. 201-203)

Designated Heritage Assets

The proposals will result in **less than substantial harm** to the significance of a designated heritage asset, meaning that para. 202 of the NPPF is engaged, requiring the harm to be weighed against the public benefits of the proposal, including securing the asset's optimum viable use, though taking into account the 'great weight' to be given to the asset's conservation.

Whilst the overall planning balance is a matter for the Planning Officer, we consider it appropriate to offer our advisory view here in the context of section 16 of the NPPF. Though the improvements to the scheme still result in less than substantial harm, on the basis of the additional evidence provided in the form of marketing information and viability, we consider that there is now the potential for the harm to be

outweighed by the public benefit of bringing a longvacant designated heritage asset back into a viable use that will ensure its long term use.

9.5 DC Building Control

Building Regulations Approval will be required for these works. Pre-consultation work with agent is underway regarding this application.

Other Representations received

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

Petitions Objecting	Petitions Supporting
0	0

10.0 Duties and policies

Duties

10.1 Section 16(1) of the Listed Buildings Act 1990 applies – For development affecting listed buildings, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy ENV4 of the Local Plan and section 16 of the NPPF are used to inform the assessment of the proposal against this duty. The site is not in a Conservation Area so section 72 of the Listed Buildings Act 1990 does not apply.

11.0 Human rights

11.1 Human Rights Act 1998: -

- 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.

12.0 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.

13.0 Listed Building Assessment

13.1 This assessment is statutorily limited to the duty under the Listed Buildings Act 1990. The NPPF and policy ENV4 of the Local Plan use different language – the NPPF, for example, talks about “significance” and “harm” whereas the Act does not. Similarly, the NPPF provides the wider definition of designated heritage assets whereas the duty confines itself to listed buildings. However, the same principles apply and it is necessary to establish the degree if any of the harm/impact on the architectural and historical qualities of the building (those qualities and the building’s setting being the elements that provide significance to the building as a designated heritage asset). The NPPF and policy ENV4 are therefore used to inform the assessment of the proposal against the duty.

Heritage

13.2 Identifying the significance of the listed building, the appeal inspector determined: -

“The setting of this Grade II listed building is somewhat compromised by its location at the heart of an industrial estate, as it is surrounded by commercial premises. Nevertheless, the former hospital certainly stands out as a building of institutional yet restrained character, with its chequered brick walls, hipped slate roof, prominent brick chimney stacks, and the strong rhythm provided by the large, slender timber sash windows which dominate the front elevation.” (para. 9).

They continued: -

“Like other health and welfare buildings constructed at that time, this former hospital combines architectural presence with functional interest. The large sash windows and substantial chimneys reflect the greater emphasis which was placed on the importance of heating and ventilation. Despite the fact that internal alterations have taken place over time, including some subdivisions,

the original plan form of the building as a medical institution is in part still apparent, with a central entrance, a number of staircases and evidence of regular, linear open spaces which may have historically functioned as wards. Having regard to the available evidence, I therefore consider that the significance of this Grade II listed building derives principally from its architectural and historic interest as a military and medical institution, including its characteristic layout.” (para. 10).

13.3 There is no reason to disagree with the inspector’s opinion. The building’s former use is certainly legible still despite the intervening years of other use and vacancy. The preserved external elevations have undergone negligible alterations since the Victorian era – the sizeable sashes that let in light and ventilation remain as does the clean -cut Flemish and stretcher bonded red brick. The interior is less reflective of the original use, especially the original 1799 element with its domestic sized rooms. The larger spaces within the Victorian range when seen with their large window openings provide more clues of the history and certainly contribute to the significance of the asset. There is clearly evidence of partition in these “ward” rooms but one is unclear as to whether this subdivision was there at the time of listing. It is pure conjecture that they were there in 1975 with no evidence either way. It is of little significance and certainly not a baseline with which to construct a case of multiple subdivisions to replicate these, now removed partitions.

13.4 With regards to setting, again the inspector’s conclusions are accepted. The physical and functional setting of the building has been considerably and irrevocably changed even since its last use as a hospital in mid C20th. Setting contributes little to significance other than its relative proximity to the Keep.

13.5 Turning to the impact on the significance of the listed building, the proposals dismissed at appeal changed little of the exterior envelope. The same is true of the new proposals. Both schemes limited the change to the rear elevation. For this dismissed appeal scheme the inspector remarked: -

“Although external alterations would overall remain limited, it is of note that one of the ground floor windows to the rear elevation would be blocked and a new opening would be created, thus disrupting the otherwise largely cohesive pattern of fenestration which contributes to the significance of this designated heritage asset. Whilst the proposed changes to the openings would not be fatal to the scheme by themselves, they nevertheless add to my concerns in respect of the proposed development and works.” (para. 12)

13.6 The interventions to this area of the rear elevation are different this time, but still as marked and noticeable. The case officer disagrees with the inspector’s opinion that the disruption would be to a “largely cohesive pattern of fenestration.” The principal façade features paired sashes and is very ordered, the rear elevation significantly less so. Indeed, it is characterised by a variety of window sizes, some windows

paired (ground and first floor), some not. This is very much a subservient elevation not in public view and not designed to be. In the greater scheme of things, the introduction of what is a minor change to this elevation is not considered to harm the significance of the asset. It also noted that the inspector acknowledged that this intervention was not individually “fatal” to the scheme. Conditions are necessary to ensure the detailing of the window frames is appropriate.

13.7 For the interior, the interventions proposed for this dismissed scheme and that proposed now, are more significant. Of the dismissed appeal, the inspector determined: -

“As part of the proposal, it is of note that some architectural features, such as the steel columns situated at ground floor level and the fireplaces, would be retained and, where necessary, restored. However, the proposed conversion of the building to residential accommodation would require the erection of a number of partition walls which would appreciably erode the evidential and historic value of the listed building as a former hospital. As a result of the proposed subdivisions, the open plan form of the building would be unacceptably diminished. In the absence of clear evidence to the contrary, I find that the proposed development and works would be too invasive and cause unacceptable harm to the special interest and significance of the listed building.” (para. 11)

13.8 It is presumed that the inspector’s remarks in relation to the open plan form were focused on the later Victorian element of the building. The 1799 part is currently lacking subdivision but the shape of the chimney breast with its canted fireplaces and the traces of older stud walls are clear evidence that this was not an open plan building. Indeed, as stated earlier in this report, the rooms would have been rather domestic in scale. The reintroduction of partitions to both floors in this part is not considered harmful.

13.9 The Victorian range, judging by the ceiling and window heights, did appear to have been open plan and is so now (the case officer could not find any records of the plans when the building was in use as a hospital). The scheme dismissed at appeal introduced many subdivisions into the floorspace on both floors. In contrast the new proposal includes less subdivision on the ground floor and substantially less on the first floor. Indeed, both floors feature the majority of the space being open plan whereas they did not previously. This is to be commended and is considered to be a material difference which reduces the level of harm markedly. The legibility of the rooms’ original uses as wards would be clearly legible. This would still result in less than substantial harm.

13.10 This less than substantial harm arising from the proposal is outweighed by the significant public benefits of securing a new use for this prominent building within the street scene and one of the few surviving elements of this former military site. A

residential use is now considered to be the optimum viable use that is most sensitive to the building's significance.

14.0 Balance and Conclusion

- 14.1 It is of no benefit to let the building remain empty, not to the fabric and its preservation and not economically either. Harm will also arise to the significance of the listed building, but this is considerably less than substantial following the changes proposed to the floorplans. The harm is outweighed by the public benefits of restoring this building sensitively and sustainably to a viable use.

15.0 Recommendation

Grant consent subject to conditions

1. The works 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:

PL-1103-101E Ground floor proposed
PL-1103-102E First floor proposed
PL-1103-103 Basement plan proposed
PL-1103-104D Proposed elevations
PL-1103-01 Location Plan

Reason: To ensure that the architectural and historical qualities of the building are preserved.

3. No works affecting the rear (west elevation) shall commence until detailed drawings and specifications showing the design and construction of the new external windows to be inserted into this elevation (at a scale no less than 1:10) as well as detail of the brickwork, its bonding and mortar mix for the areas around these new insertions has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

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

4. All new rainwater goods are to be half-round, painted black and in cast metal throughout.

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

5. Prior to first use of the building, details (plans and elevations) shall be provided and approved showing the route of all new foul and surface water pipework, including soil-and-vent pipes and downpipes. The development shall accord with the approved details.

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

6. Prior to first use of the building, details are to be provided and approved in writing of all new proposed extract or flue terminals, including product details and positions shown on relevant elevations. The development shall be carried out in accordance with the approved details.

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