

Application Number:	P/FUL/2022/04510		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	St Osmunds Church Of England Middle School Barnes Way Dorchester DT1 2DZ		
Proposal:	Remove 8no. timber-framed single glazed high level window units and replace with powder-coated aluminium double-glazed units. Replace timber door with powder-coated door.		
Applicant name:	R Golledge		
Case Officer:	Annabel Cox		
Ward Member(s):	Cllr Jones and Cllr Rennie		
Publicity expiry date:	11 October 2022	Officer site visit date:	NA
Decision due date:	20 October 2022	Ext(s) of time:	NA

1.0 This case is being referred to committee due to being on Dorset Council Land

2.0 Summary of recommendation:

GRANT subject to conditions.

3.0 Reason for the recommendation:

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

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development is acceptable and complies with the relevant policies of the Local Plan, Neighbourhood plan and NPPF.

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 amenity	The proposed development would not have a significant adverse impact on the living conditions of occupiers of residential properties.

5.0 Description of Site

St Osmund's CE Middle School is located to the north and east of the southern section of Barnes Way, in the south east part of Dorchester. The grounds comprise of a cluster of buildings to the south west corner of the site, tennis courts to the north of the main buildings and a sports field to the east part of the site.

The existing windows concerned in this application are at high level, single glazed and timber.

6.0 Description of Development

Replace existing high-level windows with powder-coated aluminium double-glazed units. Replace a timber door with a powder-coated door.

7.0 Relevant Planning History

P/CLE/2022/02788 Certificate of Lawfulness to confirm that the replacement fencing around site boundary is permitted development – Granted 14/06/2022

WD/D/20/002427 Replace existing boundary in wire with associated access gates and widening of footpaths- Granted 24/03/2021

8.0 List of Constraints

Right of Way: Footpath S2/44;

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

Risk of Surface Water Flooding Extent 1 in 30

Risk of Surface Water Flooding Extent 1 in 100

Risk of Surface Water Flooding Extent 1 in 1000

Areas Susceptible to Groundwater Flooding; Clearwater; $\geq 50\% < 75\%$;

Site of Special Scientific Interest (SSSI) impact risk zone;

Poole Harbour Catchment Area

9.0 Consultations

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

Consultees

1. P - Dorchester Town Council – No objection

2. W - Dorchester East Ward- No response

Representations received

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

10.0 Relevant Policies

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
- SUS 2- Distribution of development

Material Considerations

National Planning Policy Framework

The relevant chapters of the NPPF include:

Part 2- Achieving sustainable development.

Part 4- Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, 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.

Part 12- Achieving well-designed places.

11.0 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.

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.

In the case of this application, the planning authority has taken into consideration the requirement of the Public Sector Equalities Duty and has not identified concerns with this application, and it is considered the proposed development does not adversely impact persons of protected characteristics.

13.0 Planning Assessment

Principle of development

The proposed windows are of modern design and will not have an adverse impact to the visual appearance of the site. The principle of development is acceptable and complies with the relevant policies of the Local Plan, Neighbourhood plan and NPPF.

Design

The existing windows are of no particular architectural interest and are not located within a prominent position. The proposed windows and door will provide a visual enhancement whilst also improving the thermal efficiency of the building. The proposed development would not have an adverse impact on the visual amenities of the site or locality.

Amenity

No new window/door openings are proposed. The proposed change of windows/door shall not result in any additional levels of overlooking. Furthermore, there is significant distance between the site and any residential dwellings. The proposed development would not have a significant adverse impact on the living conditions of occupiers of residential properties.

14.0 Conclusion

The proposed development complies with the policies of the adopted Local Plan and the relevant sections of the National Planning Policy Framework as already listed.

15.0 Recommendation Grant, subject to conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
220488-0500 P1 Site Location Plan
220488-0501 P1 Proposed replacement roof plan 1 of 2
220488-0502 P1 Proposed replacement roof plan 2 of 2
220488-0503 P1 Existing & Proposed fenestration elevations

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

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

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

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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

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

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

In this case:

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