

<b>Application Number:</b>	P/FUL/2022/00228
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Old Dairy Site Rope Walks Bridport DT6 3RH
<b>Proposal:</b>	Erect building to be used for storage, offices and associated ancillary uses
<b>Applicant name:</b>	Mr D Chambers
<b>Case Officer:</b>	Thomas Whild
<b>Ward Member(s):</b>	Cllr Bolwell; Cllr Clayton; Cllr Williams

**1.0** The application is being considered by planning committee as it relates to land owned by Dorset Council.

**2.0 Summary of recommendation:** GRANT, subject to conditions.

**3.0 Reason for the recommendation:**

- The site is sustainably located within the town centre and would provide for a use which is considered appropriate in the town centre location.
- The amended design of the scheme is considered appropriate to the conservation area setting of the site, would reflect and enhance local distinctiveness and avoid harm to the character of the conservation area and the setting of neighbouring heritage assets.
- The proposal would avoid harm to amenity of neighbours
- There would not be an unacceptable impact upon highways, and car and cycle parking would be provided.

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	The site is sustainably located within the town centre and would provide an acceptable use within this location.
Scale, design, impact on character and appearance and heritage assets	Following the receipt of amended drawings to address concerns with the design of the scheme the proposal would achieve a form of development that respects local distinctiveness and avoids harm to the character of the Bridport Conservation Area and the setting of neighbouring listed buildings.

Archaeology	An archaeological investigation has confirmed that there is no remaining archaeological interest at the site and no further investigation is required.
Impact on amenity	The proposals would avoid harmful overlooking, overbearing or loss of light and would not therefore have an adverse impact upon amenity of neighbours.
Access and Parking	The proposals are not considered to present a hazard in highways terms and will provide a car parking space (with electric vehicle charging) and cycle spaces. The level of parking is considered appropriate for the sustainable location and proximity to Rope Walks car park.

## 5.0 Description of Site

- 5.1 The application site comprises a small rectangular parcel of land within the town centre of Bridport. The site is previously developed land but is currently vacant save for a small kiosk structure operated by Jurassic Fibre, which is in the south eastern corner of the site.
- 5.2 The site is located within the Bridport Conservation Area. The Bridport Decorator Centre is located immediately to the south. That is an attractive and historic commercial building identified in the Bridport Conservation Area Appraisal as forming an attractive focal point.
- 5.3 The Rope Walks Car Park is located to the south east and plots to the west comprise the rear of commercial properties which front on to West Street, including several modern commercial structures. Immediately to the west of the site, 31 Ropewalks is identified as a grade II listed building. However, the building is not currently present on the site, with only a single wall which forms the western site boundary remaining.

## 6.0 Description of Development

- 6.1 The proposals comprise the construction of a new building which is to be used for storage, office and workshop space for use for cultural and community organisations within Bridport. The ground floor of the building is divided into five separate storage areas. The first floor comprises five rooms which will provide workshops, a photography studio, meeting room and kitchenette.
- 6.2 There will be a single car parking space and a separate loading bay in front of the building, and cycle parking is proposed in front of the building.
- 6.3 As originally proposed, the building had a utilitarian appearance with brick walls to the ground floor, with a first floor proposed to be composite cladding with a trapezoidal profile coloured grey. The building has a shallow pitch roof, proposed to be of composite cladding with a trapezoidal construction and gables to the southern and northern elevations. The roof would be grey in colour with photovoltaic panels proposed to both the east and west roof slopes. The design features limited windows

at the ground floor level, with only a single window serving the WC. At first floor level there is a row of windows in the southern elevation with a single window in the north elevation and two windows in the west elevation.

- 6.4 Following the receipt of comments from the council’s senior conservation officer which raised a number of concerns in respect of the building’s utilitarian appearance, a number of changes have been made to the design of the building. While retaining the overall internal layout, the northern and southern elevations now have three linked gables with vertical columns of rusticated brick between them, and a corresponding triple pitch roof, allowing the roof pitch to have been increased without significantly increasing the overall ridge height.
- 6.5 The walls are to be formed in brickwork above a 500mm stone plinth with soldier courses of rusticated brick between the ground and first floor and the first floor and roofscape. The principal (southern) elevation features shuttered doors within the gables intended to contribute to the appearance as a series of traditional linked warehouse buildings.
- 6.6 The fenestration of the current design is largely similar to the original, featuring limited windows at the ground floor level, reflecting the intended use of the space for storage. The upper floor has the principal windows in the southern elevation, with these being reduced from five in the original scheme, to three at present. There is a window to the office space and a small window to the WC in the western elevation and a window in the northern elevation to the kitchenette. The eastern elevation does not feature any windows. However, in order to provide some relief to the elevation, six blank ‘tax’ windows have been incorporated. Similarly, two blank ‘tax’ windows are incorporated into the southern elevation, where the building would have its main relationship with the street.
- 6.7 Externally the site will be predominantly hard surfaced with a strip along the western boundary allowing for some landscape planting. The frontage of the site will comprise a single off road car parking space with electric vehicle charging, a loading bay and covered space for parking 4 cycles. It is proposed that the boundary of the site is to be defined by a 1.2m brick wall in place of the existing post and rail fence.

## 7.0 Relevant Planning History

Application Number	Location	Proposal	Decision	Decision Date
P/FUL/2021/02268	Land south of Rope Cottage Rope Walks Bridport DT6 3RH	Construction of a temporary compound comprising of a kiosk unit to house data exchange for telecommunications (Jurassic Fibre) including concrete slab for placement, and 1.8 metre high steel palisade perimeter fencing	Granted	17/12/2021

1/W/91/000435	BUILDING AT REAR 24 WEST STREET, BRIDPORT, DORSET	Demolish building	Granted	31/03/1992
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## 8.0 List of Constraints

- Town Centre Areas
- Defined Development Boundary
- Dorset Council Land (Freehold)
- Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076);
- Grade II listed building – 31 Ropewalks, list entry 1216447.0 (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Within the Bridport Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Area of Outstanding Natural Beauty: (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

## 9.0 Consultations

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

### Consultees

1. **Highways** – No objection subject to recommended condition in respect of vehicle access construction.
2. **Conservation Officers** – *Initial response*: Unable to support due to less than substantial harm without public benefit to outweigh the harm.

The principle of a building is supported and a sustainable approach to design is also considered responsible in the face of climate change. The site offers great opportunity for enhancement, but the utilitarian design and massing of the proposed building is not considered to be in keeping with the Conservation Area and setting of a Listed Building and causes less than substantial harm which is not considered to be outweighed by the public benefits of the

scheme. It is recommended that the application be refused or withdrawn to allow for pre-application discussions to overcome the design concerns.

***Comments following amendments***

The scheme is an improvement and the proposals are moving towards full officer support – some amendments suggested to improve the scheme and to allow full officer support to be forthcoming (amended drawings to address these points submitted and agreed at conservation Surgery).

- 3. **Bridport TC** – No comment as the Town Council is the applicant.
- 4. **Bridport Ward Councillors** – Cllr Bolwell: As a Bridport and Dorset Councillor I have no comment to make.
- 5. **Building Control West Team** – No comments to make.
- 6. **DC - Dorset Waste Partnership** – No comments received.
- 7. **Natural England** – No comments to make on this application, reference made to standing advice.
- 8. **DC Senior Archaeologist** – The site lies within the historic core of Bridport, probably close to or on the boundary between the original Saxon town in South Street and the Medieval expansion along West and East Streets. It appears likely that the proposed development would affect archaeological remains, particularly of the Saxon, Medieval and post-Medieval periods.

Advise that the applicant provide the results of an archaeological evaluation of the site of the proposed development to support this application.

On receipt of the archaeological evaluation the County Archaeologist has confirmed that no further investigation of condition is necessary.

**Representations received**

Total - Objections	Total - No Objections	Total - Comments
0	1	2

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

9.2 In addition to the comments listed above, one comment has been received from a member of the public in support of the proposal, noting the redevelopment of a brownfield site and benefits to existing groups.

## 10.0 Relevant Policies

### West Dorset, Weymouth and Portland Local Plan 2015

So far as this application is concerned, the following policies are considered relevant:

- INT1 – Presumption in favour of sustainable development
- ENV4 – Heritage assets
- ENV10 – The landscape and townscape setting
- ENV12 – The design and positioning of buildings
- ENV16 – Amenity
- SUS2 – Distribution of development
- ECON4 – Retail and town centre development
- COM2 – New or improved local community buildings and structures
- COM7 – Creating a safe and efficient transport network
- COM9 – Parking standards in new development
- BRID4 – Future Town Centre Expansion

### Bridport Area Neighbourhood Plan

So far as this application the following sections and policies are considered to be relevant:

- AM2 – Managing Vehicular Traffic
- CF2 – New Community Services & Facilities
- HT2 – Public Realm
- COB1 – Development in the Centre of Bridport
- D8 – Contributing to the local character

### **Material Considerations:**

#### **National Planning Policy Framework**

The following sections of the framework are considered to be of relevance to the proposals:

- 7. Ensuring the Vitality of Town Centres
- 8. Promoting healthy and safe communities
- 11. Making effective use of land
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

### **Other material considerations:**

- West Dorset Design and Sustainable Development Planning Guidelines (2009)
- Bridport Conservation Area Appraisal

## 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.

11.1 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**

12.1 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.

12.2 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.

12.3 The proposals incorporate measures to ensure access for people with disabilities or mobility issues, incorporating level access and a lift between the ground and first floor levels.

## **13.0 Financial benefits**

13.1 It is not considered that there would be any direct financial benefits as a result of this proposal.

## **14.0 Climate Implications**

14.1 The proposal would give rise to increased CO<sub>2</sub> emissions through construction, operation and as a result of visitor trips to the site. This is however balanced against the sustainable location of the site, which is accessible by public transport, and the fact that the scheme would be built to modern building regulations for energy efficiency and would include renewable energy generation.

## **15.0 Planning Assessment**

### Principle of development

15.1 The site is located within the centre of Bridport and is therefore in a sustainable location which is identified as a focus for future development in the local plan. The site is also within the defined town centre of Bridport where policy ECON4 is supportive of the small-scale development of shops, financial and professional

services, food and drink, office, leisure and community uses. The proposed building, being a storage, office and workshop space to support community groups is therefore considered to be an appropriate use for this town centre location.

15.2 In addition the Neighbourhood plan contains a list of community buildings, which policy CF1 of the neighbourhood plan seeks to protect and enhance. That includes several cultural and arts facilities, including the Literary and Scientific Institute, Bridport Arts Centre, the Lyric Theatre and Electric Palace. The proposed building is intended to provide support to the towns cultural and community organisations and although not being open to the general public may be considered to provide new community infrastructure through the provision of facilities of local cultural and arts groups. In this regard the proposal is also supported by policy COM2 of the local plan and policy CF2 of the neighbourhood plan.

Scale, design, impact on character and appearance and heritage assets

15.3 The site is located within the Bridport Conservation area and is also located within the setting of a number of listed buildings to the north and east of the site.

15.4 The conservation officer's comments on the initial submission confirmed that while the provision of a new building in this location was considered acceptable in principle, concern was raised in respect of the design of the proposal which, as originally submitted was considered to be overly modern and utilitarian both in its building form and use of materials. It was therefore considered that the scheme in its original form would lead to less than substantial harm to the character of the Bridport Conservation Area and the setting of neighbouring listed buildings and that the public benefits of the scheme comprised in the provision of facilities to support community and arts groups would not have been sufficient to overcome that harm.

15.5 In response to these comments, the applicant has engaged with officers to respond to the specific concerns held. While the floorspace and internal layout of the building remains unchanged, due to the operational requirements of the building, alterations to the external appearance of the building have been secured. The roof form has been changed from a single gable with a shallow pitch to three linked gables with steeper pitch, offering the appearance of a more traditional linked warehouse.

15.6 The fenestration has been changed from a series of relatively large and modern windows to fewer, traditional casement windows with arched brick headers, with the modern entrance doors being replaced with a more traditional pair of warehouse doors. In addition to the fenestration, blank 'tax' windows have been added to the southern and western elevations, helping to break up what would otherwise be a mass of unrelieved brickwork on these elevations.

15.7 The palette of materials has also been changed in response to officer comments. As originally proposed the materials were utilitarian and typical of a commercial building, comprising grey trapezoidal cladding to the roof and upper floor with red brick to the ground floor. The materials now comprise higher quality bricks to the walls with rusticated brick banding providing vertical emphasis and a stone plinth. Windows and joinery are to be bottle green.



- 15.8 It is considered that the changes have achieved a significant enhancement to the scheme. The appearance and architectural detailing is now considered to be appropriate to the conservation area context of the site, reflecting the surrounding commercial buildings and historic uses of this part of Bridport while also allowing for the productive re-use of a vacant and unattractive site. It is considered that with the changes the proposals will no longer result in harm to the character of the conservation area or the setting of nearby heritage assets, while also delivering public benefits in terms of providing facilities and supports to community and creative groups within the town.
- 15.9 It is therefore concluded that the proposals will contribute positively to the maintenance and enhancement of local distinctiveness, and following the amendments to the scheme, is informed by the character of the site and surroundings. The proposals will have an appropriate quality of architecture and will utilise sympathetic materials. It is therefore considered that the proposals comply with the requirements of policies ENV4 ENV10 and ENV12 of the local plan.
- 15.10 Although the site does not provide extensive space for landscaping, given the site's town centre location this is considered to be appropriate. The proposed landscape treatment of the site would allow for some appropriate buffer planting while the proposed brick boundary wall is considered to be an appropriate form of enclosure. A condition is proposed to require full details of the boundary wall to be submitted and approved.

#### Archaeology

- 15.11 The county archaeologist has identified that the site's location within the historic core of Bridport means that it is likely close to or on the boundary between the original Saxon town in South Street and the Medieval expansion along West and East Streets. With the potential for ground disturbance from construction a likelihood of affecting archaeological remains of the Saxon, Medieval and post Medieval periods was identified and an archaeological investigation was therefore requested.
- 15.12 An archaeological investigation of the site was carried out which involved the digging of two trial trenches on the site. The investigation did not identify any evidence of remains associated with the development of medieval Bridport, nor structural evidence of the post medieval or modern buildings which are known to have existed on the site, other than concrete surfaces and hardstanding.
- 15.13 The evaluation identified that below modern concrete surfaces and associated sub-bases, the ground comprises mixed garden soils and natural sandy clay deposits. The archaeological evaluation therefore concluded that any remains dating to the medieval period have been destroyed by later building activity and the creation of hardstanding.
- 15.14 The report has been considered by the County Archaeologist who has confirmed that on the basis of the evaluation no further investigation or archaeological condition is required.

#### Amenity

- 15.15 The immediate surroundings of the building predominantly comprise service and parking areas to the north and east, which serve commercial units on West Street and South Street, respectively, where there are limited opportunities for harm to amenity. There is a dwelling located to the east of the site, 16d West Street which has windows to habitable rooms facing the site. That dwelling is located 17m from the site boundary. As there are no windows within the eastern elevation of the building, there would be no potential for overlooking to the neighbouring property.
- 15.16 16d West Street is located 17m from the site boundary and will be 18.2 m from the eastern elevation of the building. Due to the separation distance the building would not cross the 25° line from the windows of that dwelling and it is not therefore considered that the building would result in a loss of daylight to the dwelling. In view of the separation distance proposed and the two-storey height of the proposed building it is not considered that there would be an overbearing impact upon this property.
- 15.17 To the south there would be a closer relationship with the neighbouring decorator centre. However there are not any windows in the side elevation of that building and there would not therefore be any potential for conflict with that building as a result. The remainder of the land to the south and southeast of the site is the open land of the rope walks car park where there would not be any potential for harmful impacts in that regard.
- 15.18 It is considered that the proposed use of the building, to provide storage, office and studio space would not be likely to give rise to harmful impacts in respect of noise or disturbance resulting from the proposal.

#### Highways

- 15.19 The development will utilise an existing access from Rope Walks, with provision made for a single parking space and a loading bay. The Highways Authority does not have any objection to the application, subject to the imposition of appropriate planning conditions relating to the provision of the access. The level of parking provision is considered appropriate for the development, taking into consideration the sustainable location of the site and the close proximity of the site to the Rope Walks car park.

## **16.0 Conclusion**

- 16.1 The proposal is considered to be acceptable in principle as it would provide an appropriate use for this sustainable town centre location while also providing support for cultural and community organisations within Bridport. The proposal therefore complies with policy SUS2, ECON4 and COM2 of the Local Plan and policy CF2 of the Bridport Neighbourhood Plan.
- 16.2 Following the receipt of amended plans it is considered that the development would be appropriate in terms of its character, would reflect and enhance local distinctiveness and would avoid harm to the character of the Bridport Conservation Area and the setting of neighbouring listed buildings, while also providing public benefits. The proposal is therefore considered to comply with policies ENV4, ENV10 and ENV12 of the local plan. The proposal will also avoid harm to neighbouring amenity and there will therefore be no conflict with policy ENV16 of the local plan.

- 16.3 An archaeological investigation of the site has confirmed that there is no remaining archaeological interest to the site and there is no requirement for further investigation.
- 16.4 The proposal would not result in harm to highways and would provide parking with an electric vehicle charging facility.

**17.0 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:  
C2114.03 A Proposed Ground Floor Plan  
C2114.04 A Proposed First Floor Plan  
C2114.05 C Proposed Elevations  
C2114.06 A Proposed Site Plan  
C2114.01 Location & Block Plan  
C2114.07 Proposed Roof Plan

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

3. 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.

4. Prior to the installation of any windows or external doors, a schedule and detailed drawings and sections (at a scale of 1:5, 1:10 or 1:20 as appropriate) of all new windows/doors in the development; including additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such details as have been agreed.

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

5. Prior to the commencement of any development hereby approved, above damp course level, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include

proposed finished levels or contours, means of enclosure including elevations and materials of the proposed boundary wall and hard surfacing materials. The development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

6. Before the development hereby approved is first occupied the first 5.0m of the vehicular access, measured from the nearside edge of the highway (excluding the vehicle crossing - see the informative note below), must be laid out, constructed, and surfaced, to a specification which shall have been submitted to, and agreed in writing by, the Local Planning Authority.

Reason: In the interest of highway safety.

7. Before the development hereby approved is first occupied or utilised the turning and parking shall be constructed in accordance with the approved plans. 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 in the interest of highway safety.

8. The development hereby approved shall not be first occupied or brought into use until facilities to enable the charging of plug-in and other ultra-low emission vehicles in safe within the parking area within the development shall first have been provided.

Reason: To promote the use of more sustainable transport modes

#### **Informative Notes:**

1. 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](mailto: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.

2. Informative: National Planning Policy Framework Statement

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

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

- offering a pre-application advice service, and

- as appropriate updating 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.