

<b>Application Number:</b>	P/FUL/2022/06067		
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk">https://planning.dorsetcouncil.gov.uk</a>		
<b>Site address:</b>	Manor Park Church Of England First School Mellstock Avenue Dorchester Dorset DT1 2BH		
<b>Proposal:</b>	Siting of a converted container classroom on the existing playground for the use of the pre-school.		
<b>Applicant name:</b>	Mrs Claire Warne		
<b>Case Officer:</b>	Emma Ralphs		
<b>Ward Member(s):</b>	Cllr Jones and Cllr Rennie		
<b>Publicity expiry date:</b>	20 December 2022	<b>Officer site visit date:</b>	29.11.2022
<b>Decision due date:</b>	5 January 2023	<b>Ext(s) of time:</b>	-

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

**2.0 Summary of recommendation:**

Grant

**3.0 Reason for the recommendation:** as set out in paras 14 at end

- 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**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	The principle of development, to permanently site a converted container classroom within the school grounds is acceptable.  The building would be used in conjunction with the current pre-school facilities.

Scale, design, impact on character and appearance	Development would have a neutral impact upon the appearance of the school and of the wider area ; it would not stand out from the rest of the surrounding built form and its assimilation into the tree backdrop; not have a significant impact upon the appearance of the street scene but would provide extra educational facilities to support the pre-school.
Impact on amenity	Development would have a negligible impact upon the residential properties to the south of the site (Holbaek Close) considering the belt of trees screening the proposal from these residential properties.

## 5.0 Description of Site

Manor Park, Church of England First School is located on the western side of Mellstock Avenue, with the Pre-school being located south of the main first school. The grounds comprise of the Church of England School with a separate building for the Pre-school. The children's play area for the first school is between the first school and pre-school buildings. There is also a metal fence physically separating the children's play area.

The proposed siting of the converted container classroom will be on the existing hard surfacing for the pre-school, situated behind the existing building close to the southern boundary.

## 6.0 Description of Development

Proposed development consists of siting a c.60sqm converted container classroom (four shipping containers measuring in total c.9.8m by c.6.1m) on the existing playground. The building will include two W/C and a small kitchenette.

## 7.0 Relevant Planning History

None

## 8.0 List of Constraints

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

Groundwater Source Protection Zone

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. DC - Highways

No objections

**2. P - Dorchester Town Council**

No objections

**3. W - Dorchester East Ward**

No objections

**4. DC - Asset & Property- Abigail Brooks**

No comments received

**Representations received**

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

**10.0 Relevant Policies**

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

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV10 - The landscape and townscape setting
- ENV12 - The design and positioning of buildings
- ENV16 - Amenity
- SUS2 - Distribution of Development

**Other material considerations**

**National Planning Policy Framework**

The Relevant chapters of the NPPF include:

Part 2 – Achieving sustainable development

Part 4 – Paragraph 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 improve 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.

In the case of this application, the planning authority has taken into consideration the requirement of the Public Sector Equalities Duty. The development would specifically cater for younger individuals to provide additional educational facilities, having a positive impact on people with protected characteristics.

## **13.0 Financial benefits**

The proposed development would be able to accommodate more children requiring pre-school services, bringing in financial gains to the school and have the potential to hire more staff to assist in pre-school child care in the future.

## **14.0 Planning Assessment**

### Principle of development

The principle of development, to permanently site a converted container classroom within the school grounds is acceptable and it would not result in a loss of land used for educational purposes. The building would be used in conjunction with the current pre-school facilities to provide extra space for pre-school children on the waiting lists and would provide an increase in economic input for the school (Policy INT1). The building is to be situated on vacant playground of the pre-school, partially under the canopy of the trees along the southern boundary of the site.

### Scale, design, impact on character and appearance

The proposed scale of the development is acceptable considering it would be a single storey building, behind the existing bungalow. It would relate in scale to the existing storage unit close by (Policy ENV12). The development would have a

neutral impact upon the appearance of the school and of the wider area (Policy ENV1). The proposed converted container would not stand out from the rest of the surrounding built form due to its light grey colour (RAL7035) and its assimilation into the tree backdrop along the southern boundary (Policy ENV10). The proposal would not have a significant impact upon the appearance of the street scene but would provide extra educational facilities to support the pre-school, reflecting the purpose of which the building is required for (Policy ENV12).

The proposal would be situated above the hard surfacing and not require any foundations to be dug, other than to connect it to the existing service pipes (shared with the school). Additionally, the proposal would not give rise to any groundwater or surface water flood risk considering that the location is located on hard surfacing already being used as a children's play area (Policy ENV5).

The proposed colour is to be RAL7035 (light grey) with foam wall insulation and mineral wool floor and roof insulation, steel doors and double glazed windows. The proposed materials would be acceptable as the converted classroom would be insulated and have been designed in such a way to provide a suitable space to facilitate educational needs. As written on the specification sheet, the five windows will have roller shutters and insulated glass to further insulate the building.

#### Impact on amenity

The proposal would have a negligible impact upon the residential properties to the south of the site (Holbaek Close) considering the belt of trees screening the proposal from these residential properties (Policy ENV16). The building would not impact the residential amenity space of the properties on Holbaek Close (specifically no.38 and 39) due to the tree belt on the southern boundary, which would screen the converted classroom from sight. The tree belt also partially shades the rear garden of no. 39 therefore, the proposal would not substantially impact the level of light into the rear garden (policy ENV16).

The land is already being used for educational purposes for the pre-school and therefore, the proposal would not significantly increase the level of noise generated, Policy ENV16.

The planning officer has pointed out to the applicant that the converted container would still need to comply to building control requirement. Even though it is outside the planning remit, the applicant has confirmed, to their knowledge, that the proposed converted container classroom will comply to building control regulations.

## **15.0 Conclusion**

The proposed converted container classroom will not detract from the overall appearance of Manor Park CE First School as it will be situated behind the existing bungalow and blend in with the belt of trees along the southern boundary (Policy ENV10 and ENV12). The building would not likely give rise to any groundwater flooding risks as the land is already hard standing, retaining the existing surface water management of rainwater.

The proposal would have a negligible impact upon the residential properties at Holbaek Close and would not give rise to any overbearing impacts upon the residential gardens of no. 38 and 39 Holbaek Close (Policy ENV16).

**16.0 Recommendation:** Grant, subject to the following conditions:

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

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

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

9388705-002 Proposed floor plan  
2775 P02 Classroom proposed elevations and floor plans  
9388705-001 Proposed elevations and floor plans  
2775 P01 Location and Site Plan  
2775 P03 Block Plan (satellite image)  
Specification Sheet dated 30.08.2022

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

**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 applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.