

Application Number:	P/FUL/2022/07181		
Webpage:	Planning application: P/FUL/2022/07181 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Purbeck Mineral and Mining Museum Norden BH20 5DW		
Proposal:	Removal of substandard storage units and provision of welfare cabin		
Applicant name:	Mr Peter Sills		
Case Officer:	Ellie Lee		
Ward Member(s):	Cllr Brooks		
Publicity expiry date:	9 February 2023	Officer site visit date:	20 June 2023
Decision due date:	9 March 2023	Ext(s) of time:	N/A

- 1.0** This planning application is required to be considered at Planning Committee as Dorset Council is the freeholder of the land within the red line site boundary.
- 2.0 Summary of recommendation:**
GRANT subject to conditions
- 3.0 Reason for the recommendation:** as set out in paragraphs 15.0 to 16.1 at the end of this report.
- 3.1 Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.
- 3.2 Paragraph 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- 3.3 The location is considered to be sustainable, and the proposal is acceptable in its design and general visual impact.
- 3.4 There is not considered to be significant harm to the Area of Outstanding Natural Beauty (AONB), landscaping, trees and biodiversity.
- 3.5 There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable in principle in this location, within the countryside and the AONB, and would be close to existing facilities.
Scale, design, impact on character and appearance	Acceptable as no harmful impacts upon the character and appearance of the area.
Impact on landscape and trees (AONB)	Acceptable as no harm to landscaping, trees and AONB.
Employment	The proposed building would provide welfare facilities for volunteers at the museum.
Biodiversity	Accords with the Dorset Biodiversity Appraisal Protocol and local planning policies.
Poole Harbour and Dorset Heaths	No toilet facilities are provided within the new building, so it is not anticipated that the proposal will result in harm to Poole Harbour or Dorset Heaths.

5.0 Description of Site

- 5.1 The application site is located to the north-east of Norden Station, south-east of Purbeck Park and Ride, in the grounds of the Purbeck Mineral and Mining Museum, an established complex outside the settlement boundary of Corfe Castle within the countryside.
- 5.2 Purbeck Mineral and Mining Museum includes a variety of small buildings which provide a café and facilities. There is no alternative welfare facility for volunteers who manage and run the museum. The museum site is well treed so has limited visual impact from the public highways.
- 5.3 There are two existing single storey containers on the application site which are proposed to be removed. This area is screened by vegetation and trees and is accessed from the north. There are no residential neighbours.

6.0 Description of Development

- 6.1 This planning application seeks the following:
- Remove 3 no. existing adjacent storage units (green and grey), with a combined width of 8m, an overall depth of 6.15m and a maximum ridge height of 2.65m (as shown within the submitted Design and Access Statement).
 - Provide a new welfare cabin building. The proposed cabin which measures 7.4m (width) x 6.15m (depth) x 2.55m (maximum ridge height), has steel profile walls and a metal sheet roof will be painted green.

- 6.2 It is understood that the existing storage units due to their dilapidated condition and poor state of repair, that they are not fit for purpose. The proposed welfare building would be used by volunteers working at the museum.
- 6.3 In a letter attached to an email from the Agent received on 14th February 2023, the following was confirmed:
- a) There are no welfare facilities within the application site red line boundary, but there are existing public toilets adjacent to the site boundary.
 - b) There are welfare facilities within the blue line boundary, which are Dorset Council owned public toilets within the Cobb building.
 - c) The proposed new welfare building will not include toilet facilities.
 - d) The new proposed welfare building will include the following:
 - i. A drying room for wet clothing
 - ii. Facilities to safely store Health & Safety equipment
 - iii. Basic first aid equipment
 - iv. A small kitchenette for hand washing and serving hot beverages.
 - v. Seating
 - vi. Basic canteen facilities.
 - vii. All to comply with the Current Health & Safety requirements now required for volunteers.
 - e) As no toilet facilities will be provided, but waste water from 1 no. kitchen sink will discharge into a bunded tank which will comprise of an above ground bunded cesspool located adjacent to the cabin – 2000L volume. A tank will have a high level alarm to indicate need for emptying, which will be carried out by a licenced waste disposal tanker company.

7.0 Relevant Planning History

Application No.	Description	Decision	Date
6/2019/0128 (Rectangular site adjacent to site boundary)	Change of use from Offices (B1) to shop (A1/A3)	Granted	27/03/2019
6/2015/0688 (Rectangular site adjacent to site boundary)	Relocate existing storage container which contains cycle hire business near to entrance of site and station another storage container adjacent to it to be used in association with the cycle hire business.	Granted	12/01/2016
6/2003/0847	Change of use of land to form mineral and mining museum with narrow gauge	Granted	18/02/2004

	demonstration rail-way - erect associated structures.		
--	---	--	--

8.0 List of Constraints

- Dorset Heathlands - 5km Heathland Buffer/Consultation Area
- 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)
- Poole Harbour Nutrient Catchment Area
- Poole Harbour Recreation Zone
- Groundwater levels are between 0.25m - 0.5m below the ground surface and there is a risk of groundwater flooding to both surface and subsurface assets. There is the possibility of groundwater emerging at the surface locally.
- Dorset Council Land (Freehold):
 - Norden roundabout and part of road leading from A351 to Norden Park and Ride, Corfe Castle, Wareham – ref: 10304
 - Norden Park & Ride and Purbeck Mineral & Mining Museum, Norden, Wareham – ref: 20014
- Scheduled Monuments:
 - Corfe Castle: a large enclosure castle, an^d 18th century Vineyard Bridge (List Entry: 1011487); - Distance: 433.73m
 - Group of three bowl barrows on West Hill, 650m NNE of The Glebe House (List Entry: 1011480); - Distance: 494.91m
- Minerals and Waste Safeguarding Area - ID: 31, 324, 752, 3317, 6810, 6849, 7177 and 7606: - Distance: 0m
- Minerals Consultation Area - Name: Wytch Farm Gathering Station
- Mineral and Waste - Ball Clay Consultation Area - Name: 8
- Minerals and Waste - Sand and Gravel

9.0 Consultations

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

Consultees

Swanage Railway Company (received 20.01.2023)

Further to the above referenced application, I am pleased to advise that, as a neighbour, the Swanage Railway Company supports the application on behalf of the Purbeck Mining Museum at Norden.

The application seeks to replace substandard (derelict) storage units with a modern storage facility and to provide a welfare cabin for use by volunteers working in the Purbeck Mining Museum.

Eastern Area Planning Committee
5 July 2023

The Museum demonstrates and displays material relating to a historically significant part of the local economy with national and international links and any development to support the work of the Museum is to be welcomed.

Dorset Council Tree Officer (received 23.01.2023 and 17.05.2023)

No objection to proposal in principle but further clarification sought in relation to the following:

- Measures in Biodiversity Plan may sufficiently avoid the need for a tree pre-commencement condition, subject to clarification of tree protection, foundations and services.
- Most vulnerable tree is the existing oak, so will need confirmation it will not need pruning during development and afterwards.
- Details of services to be provided to ensure no damage to tree roots.

Dorset Council – Minerals and Waste

No comments received

Corfe Castle Parish Council (received 6.2.2023)

Corfe Castle Parish Council have no objection to application P/FUL/2022/07181. This is for the removal of old storage containers and their replacement by a new welfare cabin. The cabin will be set on concrete pads and hence permission is required. The proposed cabin will be bottle green and therefore will blend into the surrounding vegetation.

West Purbeck Ward Member – Councillor Brooks (25.01.2023)

Norden Park is an area which is likely to be developed further into a transport and active travel hub in the future. Whilst I have no objection to the replacement of derelict buildings, and I want to support the needs of the mining museum, I would like to ensure that they are sympathetic to the area (possibly painted green) and fit with the tree officer recommendations. I would not want storage containers to be prevalent in the area which is going to attract visitors.

Representations received

The application was advertised by means of a site notice. No representations from other third parties were received for this application.

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

11.0 Relevant Policies

Development Plan

Adopted Purbeck Local Plan Part 1:

- Policy SD – Presumption in favour of sustainable development

- Policy LD – General location of development
- Policy D – Design
- Policy LHH – Landscape, Historic Environment and Heritage
- Policy CO – Countryside
- Policy E – Employment
- Policy DH – Dorset Heaths International Designations
- Policy PH – Poole Harbour
- Policy FR – Flood Risk

Emerging Dorset Council Local Plan

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021.

Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

The Purbeck Local Plan (2018-2034) Submission January 2019

The Submitted Draft Purbeck Local Plan was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on Proposed Main Modifications and additional consultation on Further Proposed Main Modifications having been undertaken and a further public hearing session held on 19 July 2022.

Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news>).

Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan.

In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but for the reasons set out above these policies should be accorded little weight in the determination of the application:

- E1: Landscape
- E2: Historic Environment
- E12: Design
- E4: Assessing flood risk
- E10: Biodiversity and geodiversity

Material Considerations

National Planning Practice Framework (NPPF)

Paragraph 11: Presumption in favour of sustainable development

Paragraph 47: Determining applications in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 100: Planning decisions should take opportunities to provide better facilities for users.

Paragraph 130: Planning decisions should ensure developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Paragraph 159: Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 174: Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, b) recognising the intrinsic character and beauty of the countryside, c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate, d) minimising impacts on and providing net gains for biodiversity.

Paragraph 176: Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Other material considerations

- National Planning Practice Guidance

- Dorset AONB Landscape Character Assessment
- Dorset AONB Management Plan 2019-2024
- Nitrogen Reduction in Poole Harbour SPD Adopted
- Consultation Report - Nitrogen Reduction in Poole Harbour SPD
- Consultation Statement - Nitrogen Reduction in Poole Harbour SPD
- Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document
- Poole Harbour Recreation 2019-2024 SPD
- District Design Guide SPD
- Managing and using traditional building details in Purbeck

12.0 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.

13.0 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.

The proposed welfare facility is single storey, sited on a relatively level site and accessed via existing informal hard surfacing. No disadvantage to people with protected characteristics has been identified.

14.0 Financial benefits

None

15.0 Planning Assessment

Principle of development

- 15.1 The site is located within the open countryside, within the Dorset Area of Outstanding Natural Beauty (AONB) and is outside of the settlement boundaries of Corfe Castle so local planning policies LD (General location of development) and CO (Countryside) are relevant.
- 15.2 Local policy LD directs new development towards the most sustainable locations of the former Purbeck District area, including the towns and villages within settlement boundaries and sets out that development will not be permitted in exceptional circumstances as set out within local policy CO.
- 15.3 Local policy CO permits new development within the countryside in exceptional circumstances where the proposed development would not have a significant adverse impact, either individually or cumulatively on the environment, visual impact, ecology or from traffic movements. Exceptions within policy CO are:
- Where a countryside location is essential.
 - It comprises the reuse, alteration, extension or replacement of a rural building.
 - Comprises small-scale outbuildings within the curtilage of existing buildings.
 - It is an employment use that would intensify or expand an existing employment related to a complex of buildings.
- 15.4 In this case the proposal is to replace substandard storage containers with a cabin building so the replacement building exception cannot strictly apply. However, supporting documentation clarifies the need for the welfare building in this countryside location to facilitate the ongoing operation of the Mining Museum so it is considered that there is an essential need and the building is of an appropriate scale to meet this need.
- 15.5 Therefore, the proposal scheme generally accords with local planning policies LD and CO, so is judged to be acceptable in principle with regards to location of development within the countryside.

Scale, design and impact on character and appearance of the area, including landscaping, trees and the AONB

- 15.6 Local planning policies D (Design) and LHH (Landscape, Historic Environment and Heritage) of the adopted Local Plan are relevant, and the proposed replacement building is single storey and the following materials are proposed:
- Walls – painted profiled steel, RAL 6007 (dark green)
 - Roof – painted metal sheet, RAL 6007 (dark green)
 - Doors – painted metal, RAL 6007 (dark green)
 - Doors – painted metal, RAL 6007 (dark green)
- 15.7 The building is functional in design, but the external materials proposed are of an appropriate colour (green) as requested by the Ward Councillor, and the building will be sufficiently screened by the well-established trees and vegetation around the site to avoid impacts beyond the immediate vicinity.

- 15.8 Some vegetation is required to be removed to facilitate the development, but this is limited in extent since the majority of the building will be located on the footprint of the existing structures so there will be no impact on the character of the site.
- 15.9 The Ward Member raised the impact on trees as an area for consideration. The Council's Tree Officer has no objection in principle to the proposals, subject to details and conditions. Only one tree is identified for removal. Further to the Tree Officer's initial consultation response, new information and an additional plan have been provided, confirming that:
- Spot pile foundations are proposed, which will require some excavation.
 - It is proposed to crane the building in, so it is anticipated that there will be no trafficking in the tree root zones.
 - There is an existing electricity and water supply in the location the building is proposed.
 - The agent confirmed by email that there will be no pruning of the existing oak tree, as a result of the proposed works.
- 15.10 The additional information provided allows officers to conclude that conditions for foundations and services are not required. However, it is considered necessary to add a condition requiring the erection of Heras fencing to protect the tree roots.
- 15.11 Therefore, subject to conditions controlling the colour of the materials and Heras fencing to protect tree root areas, the proposal accords with local planning policies D (Design) and LHH (Landscape, Historic Environment and Heritage).

Employment

- 15.12 Whilst the new building is proposed to be used by volunteers, local planning policy E (Employment) is relevant as the welfare cabin will provide a building for those working on the site and is considered to be within a sustainable location in line with local planning policies LD and CO.
- 15.13 Therefore, the proposal accords with local planning policy E (Employment) as it provides welfare facilities for volunteers at the museum.

Biodiversity

- 15.14 A Dorset Council Natural Environment Team approved Biodiversity Plan and Certificate have been submitted in support of this planning application.
- 15.15 Therefore, subject to conditions which include biodiversity mitigation and enhancement, the proposal accords with the Dorset Biodiversity Appraisal Protocol and accords with local planning policy BIO (Biodiversity and Geodiversity).

Surface Water Flooding

- 15.16 The application site is not in an area with a high risk of surface water flooding, but is in an area of high groundwater levels (levels are between 0.025m and 0.5m below the ground surface) and within this area there is a risk of groundwater flooding to both surface and subsurface assets.
- 15.17 Annex 3 of the National Planning Practice Framework (NPPF) advises that buildings used for other services such as the proposed development, which would not be habitable, would be a water-compatible development and on this basis the proposal is considered to be an appropriate development in an area with a high risk of ground water flooding.
- 15.18 Consequently, there is no need to undertake a Sequential Test to ascertain whether there are any reasonably available sites appropriate for the proposal in areas with a lower risk of flooding as set out in paragraphs 161 & 162 of the NPPF.
- 15.19 Furthermore, as the development is less vulnerable, a surface water drainage scheme is not required to support the application, due to the proposed modest scale and modest footprint covered. Any surface water arising from emergence from the high groundwater levels would not increase risk of harm from flooding as a result of this proposal.
- 15.20 Therefore, the proposal accords with local planning policy FR (Flood Risk) and policies within the NPPF.

Poole Harbour and Dorset Heaths

- 15.21 Poole Harbour is located approximately 2591.74 metres from the application site, but the site lies within the Poole Harbour Nutrient Catchment Area and Recreational Zone. As the building will not represent an increase in residential units and is unlikely to attract additional visitors, there is no anticipated harm from the proposed replacement building and its use by volunteers at the museum. Currently no toilet facilities are proposed but a condition to secure this in the future is not judged necessary, provided that the use of the building remains for volunteers who are likely to live within the Poole Harbour catchment area.
- 15.22 A kitchenette is proposed to be used for hand washing and serving hot beverages to the volunteers and the waste water from the 1 no. kitchen sink is proposed to discharge into a bunded tank above ground level, which would be emptied by a licenced waste disposal tanker company when it is full.
- 15.23 No harm to the integrity of Habitats Sites of Poole Harbour and the Dorset Heaths is anticipated, so an appropriate assessment under the Habitats Regulations is not required.

16.0 Conclusion

- 16.1 The proposal will benefit volunteers who maintain the Purbeck Mining Museum and would not have adverse impacts upon the AONB, character and appearance of the immediate area, landscaping or trees. As such, the proposal is compliant with local and national planning policies.

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:
12820/01 Existing Site Plan
12820/02 B Proposed Cabin and Site Plan
Services Plan

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

3. The external materials to be used for the walls and roofs shall be similar in colour and texture to the materials within the submitted Application Form (dated 14/11/2022) and as shown on approved drawing 12820/02 revision B (Proposed Cabin and Site Plan). For clarity, the colour of the external faces of the proposed colour will be RAL 6007 which is a dark green colour.

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

4. The detailed biodiversity mitigation, compensation and enhancement/net gain strategies set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 12/01/2023 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. In addition to these measures, Heras fencing for tree root protection must be in place for the duration of the construction works. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

5. The building hereby approved shall be used only as a welfare building for volunteers working at the museum and for no other purpose. It shall not be used to provide overnight accommodation.

Reason: To avoid harm that might arise from unfettered ancillary use upon Habitats Sites - Poole Harbour and Dorset Heathland.

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.