

Application Number:	P/FUL/2023/02983		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Cheselbourne Village School Drakes Lane Cheselbourne Dorset DT2 7NT		
Proposal:	Demolition of existing prefabricated mobile classroom & the erection of 2 no. detached buildings to be used as a classroom & learning hub along with the formation of a covered decked area.		
Applicant name:	Dorset Council		
Case Officer:	Emma Ralphs		
Ward Member(s):	Cllr Haynes		
Publicity expiry date:	7 July 2023	Officer site visit date:	27 June 2023
Decision due date:	25 July 2023	Ext(s) of time:	-

1.0 Reason for Committee Referral: Applicant is Dorset Council

2.0 Summary of recommendation:

Grant, subject to conditions

3.0 Reason for the recommendation: as set out in paras 15 at end

- Para 11 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
- 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
- The proposal has been designed appropriately to accommodate better educational facilities and learning environment above the existing structures.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of demolishing two existing buildings on an existing site and replacing them with two, more modern buildings is acceptable in principle (Policy ENV15). The development would occur within the existing curtilage of the school and therefore would comply to Policy SUS2.
Scale, design, impact on character and appearance	The proposal would remain subservient to the main school building and would not significantly appear within the street scene (Policy ENV10). The development would not harm the landscape character of the AONB. The proposed appearance of the buildings would provide a visual improvement to the character of the area, preserving the wider landscape (Policy ENV1).
Impact on amenity	The placement of these building away from the shared boundary of Campion Cottage helps mitigate any overbearing or overlooking impact that the development may have on these residents causing no harm to neighbouring amenity (Policy ENV16).
Impact on heritage assets	The proposed development would not harm the setting of the listed building, Campion Cottage as the proposal will remain single storey behind the timber fencing along the northern boundary.
Impact on noise, trees and flooding	No new air source heat pumps are proposed and therefore, the noise levels for the site as a children's playground would not be increased above the existing levels. The trees and their roots located around the periphery of the site will not be significantly impacted by the development to cause adverse harm. The impact of surface water and groundwater would be minimised (Policy ENV9).
Access	The pedestrian access between the new buildings will be altered slightly however, no concern is raised.

5.0 Description of Site

Cheselbourne is situated c. 8 miles to the northeast of Dorchester, within the Dorset Area of Outstanding Natural Beauty (AONB). The site is located near the centre of the village at the corner of Drakes Lane and the main road going through Cheselbourne. There is a slight slope in the land from Drakes Lane down to the south-east with the topography becoming steeper north of the site. To the north and

south-east there are a number of residential properties along with the village hall to the east.

The school comprises of one main, brick-built building with its principle elevation facing south. The rear of the building mainly consists of brick walls with a single storey conservatory style extension on the north-western corner of the main building. The boundary treatments have hedges along the southern and western side of the building and metal fencing along the eastern boundary. The northern boundary is delineated by timber fencing and abuts the boundary of the Grade II listed property Campion Cottage.

The proposed site is used for a village school, providing education for 4 – 9 year olds with roughly 50 students in attendance.

6.0 Description of Development

The proposal is to demolish the existing pre-fabricated building and single storey conservatory attached to the main building and erect a new classroom and separate teaching hub to the rear of the school. The proposal also includes the formation of the covered decked area linking the two buildings together. The proposed two new buildings would have an area of c.61sqm, which would be roughly the same size as the existing buildings to be demolished.

7.0 Relevant Planning History

P/FUL/2021/03534 - Decision: GRA - Decision Date: 11/01/2022

Installation of roof mounted solar photovoltaics (PV) equipment and associated

8.0 List of Constraints

- Within setting of Grade II listed building – Campion Cottage (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Within Dorset 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)
- Site is partially within Flood Zone 2 and 3
- Risk of surface and ground water flooding
- Public Right of Way S15/12 (leading south-west off Drakes Lane)

9.0 Consultations

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

Consultees

1. W - Chalk Valleys Ward

Cllr Haynes: Support: Very pleased to support this much needed replacement of a very old classroom and also for the works to the school building. It will make a huge difference to the quality of the teaching space of this excellent first school.

2. DC - Rights of Way Officer

No comments received.

3. DC - Trees (North West Weymouth)

No comments received.

4. P - Cheselbourne PC

Support

5. DC - Early years

No comments received.

6. Dorset Wildlife Trust

No comments received.

7. Ramblers Association

No comments received.

8. Wessex Water

No comments received.

9. DC - Asset & Property- Abigail Brooks

No comments received.

Representations received

No neighbour objections have been received for this application.

47 representations of support have been received, summarised as follows:

- Desperate need to modernise facilities to create learning environment for current and future needs.
- Proposed buildings will provide more suitable learning space for current and future children.
- Much needed infrastructure investment and improvement for pupils and staff.
- More suitable space for pre-schoolers.

- Suitable screened by vegetation but more visible during winter, asks that the buildings are finished in natural colours. No details of heat pumps given; noise must be assessed so it would not cause problems.
- School needs additional space and critically more toilet facilities
- Proposal would provide a better space than the existing, old, leaking, cold (in the winter) and hot (in the summer).
- Hopefully DC will ensure it is ecologically sound as well as educationally excellent.
- Proposal would not only improve the space and experience of the children within the school, it will also improve the look of the school and thus the centre of the village.
- Support the use of the building as a community asset. Valuable resource for the whole community.
- Building will enhance the children's learning space, provide for their wellbeing and allow staff to deliver the curriculum more efficiently.
- Would provide much needed indoor and outdoor learning space.

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.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

11.0 Relevant Policies

West Dorset, Weymouth & Portland Local Plan 2015

Policy INT1	- Presumption in Favour of Sustainable Development
Policy ENV1	- Landscape, Seascape and sites of Geological Interest
Policy ENV4	- Heritage Assets
Policy ENV5	- Flood Risk
Policy ENV9	- Pollution and Contaminated Land
Policy ENV10	- The Landscape and Townscape Setting
Policy ENV12	- The Design and Positioning of Buildings
Policy ENV15	- Efficient and Appropriate Use of Land
Policy ENV16	- Amenity
Policy SUS2	- Distribution of Development
Policy COM6	- The Provision of Education and Training Facilities

Other material considerations

National Planning Policy Framework

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.

This proposal provides additional educational facilities to individuals with protected characteristics as the students will be 4-9 year old at pre-school education. The proposal includes ramps onto the covered deck area to allow for individuals with limited mobility to access the educational facilities. In addition, the building would be modern and insulated, providing a suitable environment for learning.

15.0 Planning Assessment

Principle of Development

The principle of demolishing two existing buildings on an existing site and replacing them with two, more modern buildings is acceptable in principle (Policy ENV15). The proposal would provide social and economic benefit for the school by allowing better educational facilities for the children and potentially creating more employment opportunities (Policy COM6). The development would be sited within the existing curtilage of the school and therefore would comply with Policy SUS2.

Scale, Design and impact on character and appearance

The proposal would remain subservient to the main school building and would not appear obtrusive within the street scene (Policy ENV10). The proposed building would appear as a modern addition to the bricked building and its use of timber

would further support the buildings subservience. The proposed buildings would consist of a lightweight modular structure with highly insulated timber framed panels on an insulated raft foundation to allow for efficient construction. The windows and doors would be aluminium and standing seam roofing is proposed for the roof. The design of the new classrooms is acceptable and would utilise floor to ceiling windows on the north and southwestern elevations to maximise natural light into the buildings (Policy ENV12).

The development would not harm the landscape character of the AONB considering that the proposal replaces an existing mobile unit and single storey extension, with a single storey building, partially screened by boundary treatments and a vegetation belt along the western side of the site. The proposed appearance of the buildings would provide a visual improvement to the character of the area, preserving the wider landscape (Policy ENV1).

Impact on amenity

The placement of these building away from the shared boundary of Campion Cottage helps to mitigate any overbearing or overlooking impact that the development may have on these residents (Policy ENV16). Only two windows are proposed on the northern elevation for the W/C's, reducing direct views into Campion Cottage's private amenity space. The rest of the windows on the east, west and southern sides of the proposed buildings will remain at ground floor looking over the playground and main building, causing no harm to neighbouring amenity (Policy ENV16).

Impact on heritage

Campion Cottage is an early 18th Century cottage built of cob with rendered walls over a brick and flint plinth with a thatch roof. The listed building is therefore known for its architectural significance. The proposed development would not harm the setting of the listed building, Campion Cottage as the proposal will remain single storey behind the timber fencing along the northern boundary. The proposed modern building would not detract from the overall setting of listed building as the proposal would respect the architectural details of Campion Cottage and would be screened by the main school building and two storey height of the listed building, complying with Policy ENV4.

Impact on noise, trees and flooding

The air source heat pumps are to remain in the same location as the existing. No new air source heat pumps are proposed and therefore, the noise levels for the site as a children's playground would not be increased above the existing levels.

The tree on the existing site plan has been removed before the planning application was submitted. Additionally, the lightweighted structure would site on top of the existing hard surfacing (playground) and therefore, would not require any foundations or digging to erect the structures. As such, the trees and their roots located around the periphery of the site would not be significantly impacted by the development.

Whilst there is a small proportion of the site within Flood Zone 2 and 3, the school building itself lies outside the flood zone. The proposed new buildings will be located

outside Flood Zones 2 and 3 and raised slightly above the existing playground. The proposed building would be situated on the existing, hard surfaced playground and therefore, would not adversely impact surface water runoff (Policy ENV5). As stated on page 3 of the applicants Flood Risk Assessment by WSP, the finished floor levels of the new classroom will be 0.3m above the existing main school (100.650mAOD), meaning that the impact of surface water and groundwater would be minimised (Policy ENV9).

Access

The current access routes into the site will remain as existing. The pedestrian access between the new buildings would be altered slightly however, this raises no concerns in terms of access provision.

16.0 Conclusion

The proposed modern classroom and learning hub would provide for better facilities within the school and this is supported by policy. The proposal is subservient to the main bricked building and would appear in keeping with the wider character and preserve the AONB. The scheme would have no detrimental impact upon neighbouring amenity, especially at Campion Cottage. The development would not harm the architectural significance of the adjacent listed building. The proposal has been designed to minimise flood risk and due to the development being a lightweight structure, no foundations are required, and would not therefore harm the nearby root systems of the trees.

17.0 Recommendation

Grant, subject to conditions

Recommendation: Approve 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:
4788-BB-XX-XXX-DR-A-P001 2 Location plan
4788-BB-XX-XXX-DR-A-P001 1 Proposed site plan
4788-BB-XX-XXX-DR-A-P003 3 Proposed floor plan & roof plan
4788-BB-XX-XXX-DR-A-P004 3 Proposed elevations
4788 P010 1 Existing site plan

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

3. Prior to first use the development shall be completed in accordance with the proposed works detailed in the Flood Risk Assessment on page 17 of the Flood

Risk Assessment submitted by WSP dated April 2023 and shall be maintained as such thereafter.

Reason: In order to safeguard the buildings from unnecessary flood risk.

4. Prior to first occupation or use of the development hereby approved the mitigation measures as detailed in the Biodiversity Mitigation Plan in section H and section I agreed by the Dorset Natural Environment Team dated 16.05.2023 shall be completed in full. Thereafter, the mitigation measures shall be maintained and retained for the perpetuity of the development.

Reason: To minimise impacts on biodiversity.

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 application was acceptable as submitted and no further assistance was required.

2. The applicant is advised that bats are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 and Part 3 of Conservation of Habitats and Species Regulations 2017 (as amended). Work should proceed with caution and if any bats are found, all work should cease, the area in which the bats have been found should be made secure and advice sought from Natural England (tel: 0300 060 3900), website www.naturalengland.org.uk before proceeding.

Further information about the law and bats may be found on the following website <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>