

Application Number:	P/HOU/2023/01242		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	River House Stalbridge Lane Sturminster Newton DT10 2JQ		
Proposal:	Erect first floor extension to roof and raise height, erect studio.		
Applicant name:	Mr & Mrs M Jones		
Case Officer:	Jane Green		
Ward Member(s):	Cllr Jones		
Publicity expiry date:	23 April 2023	Officer site visit date:	03 May 2023
Decision due date:	16 May 2023	Ext(s) of time:	Required

1.0 The applicant is an elected member, Mrs Carole Jones

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation: as set out in paras 16 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 proposal is acceptable in its design and general visual impact and there is no significant harm to the Sturminster Newton Conservation Area or the settings of the Grade II* Sturminster Newton Mill and Grade I listed town bridge nor the Scheduled Ancient Monument, Sturminster Castle.
- 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 extending the property is acceptable

Scale, design, impact on character and appearance of the area including the Conservation area	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.
Impact on landscape or heritage assets	The impact on the wider landscape and the setting of listed buildings, ancient scheduled monument and designated conservation area is not significant.
Impact on biodiversity	The proposed development will have no detrimental impact on biodiversity and a proportionate level of biodiversity enhancement is proposed.
Access and Parking	The proposed development does not result in any alterations to existing parking and access arrangements.
Flood risk	The extension does not extend into the flood zone area, nor does it not materially alter the existing impermeable area, with no external surfaced area being changed.

5.0 Description of Site

River House is a modern house built to contemporary, one and a half storey design with brick and timber-faced elevations under a clay tiled roof. It has an L shaped floor plan for which planning permission was granted in 2004. It was built in 2005 / 2006 as a replacement for a pair of derelict cottages on a site which is set above the steeply sloping SW bank of the River Stour at this point on the NE edge of Sturminster Newton. The rear elevation facing towards the river is generously glazed and is of two-storey height. The house is positioned some 65m WNW of Sturminster Newton Mill (at its closest point). The house is positioned towards the SE end of a long narrow plot and occupies a wooded setting. The property has a frontage to and is accessed from the unclassified Stalbridge Lane. There is on-site garaging, parking and turning for several cars. There are several other properties in this locality on the rural edge of the town. The property stands within the designated settlement and conservation area boundaries.

6.0 Description of Development

Erection of first floor extension to roof and raise height and erect studio.

7.0 Relevant Planning History

2/2003/1180 - Decision: REF - Decision Date: 03/03/2004

Demolish dwelling and erect 2 No. dwellings, modify vehicular access

2/2003/0235 - Decision: REF - Decision Date: 05/06/2003

(Demolish existing) erect 2 no. dwellings, modify vehicular access

2/2004/0814 - Decision: GRA - Decision Date: 12/10/2004

Demolish dwelling and erect 1 No. replacement dwelling with double garage, modify vehicular access

2/2009/0047/PLNG - Decision: WIT - Decision Date: 12/03/2009

Erect single storey lower ground floor extension and single storey ground floor extension.

2/2012/1005/PLNG - Decision: GRA - Decision Date: 04/10/2012

Erect side extension.

2/2011/0681/PLNG - Decision: GRA - Decision Date: 01/08/2011

Erect wall/fence with brick piers (remove part of existing fence).

2/2013/0634/PLNG - Decision: GRA - Decision Date: 13/08/2013

Erect extension to existing balcony.

2/2015/0926/HOUSE - Decision: GRA - Decision Date: 03/09/2015

Erect two storey extension.

2/2019/1539/HOUSE - Decision: GRA - Decision Date: 13/08/2020

Split Level Extension

P/NMA/2021/03093 - Decision: GRA - Decision Date: 28/09/2021

Non-material amendment to Planning Permission No. 2/2019/1539/HOUSE to reduce ridge height of extension to match existing.

8.0 List of Constraints

Application is within Sturminster Newton Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Public Rights of Way: Footpath N53/70, N53/66; N53/43 and N53/39;

EA - Risk of Surface Water Flooding Extent 1 in 30 within site

EA - JBA - Risk of Groundwater Emergence; Groundwater levels are either at or very near (within 0.025m of) the ground surface.; Within this zone there is a risk of groundwater flooding to both surface and subsurface assets. Groundwater may emerge at significant rates and has the capacity to flow overland and/or pond within any topographic low spots.

Higher Potential ecological network

Wildlife Present: Himalayan Balsam and S41 - bat

Site of Special Scientific Interest (SSSI) impact risk zone

Scheduled Monument: Sturminster Castle (List Entry: 1002719)

EA - Main River Consultation Zone

Flood Zone 3 – within site

Minerals and Waste Safeguarding Area

Minerals and Waste - Sand and Gravel

Listed buildings – Sturminster Newton Mill – Grade II* and Grade I listed Town Bridge (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

9.0 Consultations

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

Consultees

1. **W - Sturminster Newton Ward** – No comments received (Ward member is applicant)
2. **P - Sturminster Newton TC** – No comments received
3. **DC - Rights of Way Officer** – No comments received
4. **DC - Minerals & Waste Policy** – No comments received
5. **Ramblers Association** - No comments received

Representations received

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

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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

North Dorset Local Plan Part 1 2011-2031

Policy 2 – Core Spatial Strategy

Policy 4 – The Natural Environment

Policy 5 – The Historic Environment

Policy 24 – Design

Policy 25 – Amenity

Sturminster Newton Neighbourhood Plan 'Made' 08/03/2019

Policy 1. Design and character of buildings and their settings

Policy 2. Important views and landscape sensitivity

National Planning Policy Framework 2021:

2. Achieving sustainable development

4. Decision-making

12. Achieving well-designed places

14. Meeting the challenge of climate change, flooding and coastal change

15. Conserving and enhancing the natural environment

16. Conserving and enhancing the historic environment

Other material considerations

The Sturminster Newton Town Design Statement July 2008

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.

Officers have considered the requirement of the duty, and it is not considered that the proposal would give rise to specific impacts on persons with protected characteristics.

14.0 Financial implications

None

15.0 Environmental Implications

None

16.0 Planning Assessment

Principle of development

The principle of extending a residential property is acceptable. The proposed development follows a 2015 and 2020 permission for extensions to the southeast elevation, neither of which were implemented.

Scale, design, impact on character of area including conservation area

The application proposed a glazed gable extension to the first-floor southeast elevation. The glazed extension would extend from the first floor, supporting struts creating a canopy over the back door.

The construction, design and appearance of the proposed development is entirely consistent with, and would complement and reinforce, the modern and distinctive character of the existing building. The development would add some limited, but not excessive, additional built to the southeast end of the house. The extension and studio element are considered to be in scale with the main dwelling and would appear as a subservient and appropriate addition to the dwelling. It would therefore not have an adverse impact on the visual amenities of the character of the site or locality.

Impact on amenity

The property is detached, with no immediate neighbours, the nearest being Mill Banks some 30 metres away to the southwest. The glazed extension would not result in overlooking into any neighbouring properties, there being no properties to the southeast other than the Mill. Likewise, the proposed studio would not result in any overlooking. There are no concerns with regards to overshadowing or overbearing as a result of the proposals, and overall, it is considered that proposed development would not have a significant impact on the living conditions of occupiers of neighbouring residential properties.

Impact on landscape and heritage assets

The gable extension and studio element would be viewed in the context of the sloping roof and elevation which they are attached. The glazed element will result in a stronger visual appearance to the southeast elevation, which is considered to be acceptable within the context of the modern design of the building and with high quality materials would not jar with the verdant setting of the site. The spacing between the listed Mill building and the intervening landscape screening affords interruptions to the intervisibility between the extension and the located Mill building to the southeast and from the Grade I listed Town Bridge. In considering these heritage asset's conservation weight is given to their importance.

The proposal is considered to have no materially adverse effect on the character and appearance of the setting of the listed Mill building, and listed Town Bridge beyond and therefore no harm to their significance.

The proposals would complement and reinforce the existing character of this good quality, contemporary design; the application is therefore considered to preserve the character or appearance of the Conservation Area. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the

desirability of preserving or enhancing the character or appearance of a conservation area; and (2) Local Plan policy.

Impact on biodiversity

Previous planning applications revealed the dwelling contained a maternity bat roost. During the course of the application process a Biodiversity Plan was submitted and has been certified by the Council's Natural Environment Team. The site is being used by commuting and foraging bats and the biodiversity plan proposes details of mitigation in terms of lighting. It is considered with the proposed mitigation measures the proposal would have no adverse impact on biodiversity.

Access and parking

Access and parking remain unaltered by the proposals, the proposal would not compromise road safety and sufficient parking is retained.

Flood risk

The site is on the edge of Flood Zones 2 and 3, the extension does not extend into the flood zone area, nor does it not materially alter the existing impermeable area, with no external surfaced area being changed.

17.0 Conclusion

The proposed development complies with the policies of the Sturminster Newton Neighbourhood Plan and the North Dorset Local Plan, and the relevant sections of the National Planning Policy Framework as already listed above. By assessing the significance of the heritage assets and their importance it is considered there is no harm to their setting by the development.

18.0 Recommendation

GRANT of planning permission 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:
5099-01 Location, block and proposed plans

5084-02 C Existing & Proposed first floor 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 first occupation or use of the development hereby approved the mitigation measures as detailed in the Biodiversity Mitigation Plan dated 24 July 2023 shall be completed in full.

Reason: To minimise impacts on biodiversity.

Informative Notes:

1. The applicant is reminded of their responsibility to submit photographic evidence of compliance with the Biodiversity Plan to Dorset Natural Environment Team in order to comply fully with requirements of condition 4.

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 applicants/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.

