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<b>Application Number:</b>	P/FUL/2023/01089		
<b>Webpage:</b>	<a href="https://www.dorsetcouncil.gov.uk/planning-application/P/FUL/2023/01089">Planning application: P/FUL/2023/01089 - dorsetforyou.com (dorsetcouncil.gov.uk)</a>		
<b>Site address:</b>	West Moors Middle School Heathfield Way West Moors BH22 0DA		
<b>Proposal:</b>	Raise roof by adding insulation to flat roof and replacing roofing felt and facias. Lower roof to be raised by 250mm approximately. Hall roof to be raised by 210mm approximately.		
<b>Applicant name:</b>	Dorset Council		
<b>Case Officer:</b>	Claire Hicks		
<b>Ward Member(s):</b>	Cllr Dyer, Cllr Shortell		
<b>Publicity expiry date:</b>	2 October 2023	<b>Officer site visit date:</b>	Photos provided
<b>Decision due date:</b>	28 September 2023	<b>Ext(s) of time:</b>	TBC
<b>No of Site Notices:</b>	5		
<b>SN displayed reasoning:</b>	Each site notice was put up in the roads which surround the school, and in the access to the school.		

**1.0** The application comes before the Planning Committee because the land that forms the application site is owned by Dorset Council.

**2.0 Summary of recommendation:**

GRANT subject to conditions

**3.0 Reason for the recommendation:** as set out in paragraph 17 on page 6 of the report.

- Para 11 of the National Planning Policy Framework (NPPF) provides that development proposals that accord with an up-to-date development plan should be approved without delay.
- The principle of the development accords with development plan policy KS2.
- The proposal will improve sustainability and is acceptable in its design and general visual impact in accordance with policy HE2.
- There are no material considerations which would warrant refusal of this application

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable
Scale, design, impact on character and appearance	Acceptable
Impact on amenity	Acceptable

#### 5.0 Description of Site

The application site lies in the residential area of West Moors. The West Moors Middle School building and its grounds lie to the south of and are accessed from Heathfield Way. The school site is surrounded by residential properties on Elmhurst Road to the west, Pinehurst Road to the south and Heathfield Road to the east providing screening.

The land is relatively level. Fencing and sporadic trees on the northern boundary allow views past the car park to the main school building which is the subject of the application. The building is of flat roof construction with a raised hall feature.

#### 6.0 Description of Development

The proposal is to insulate the existing single storey flat school roof which will result in the raising of its height by approximately 0.25m. The hall roof which is double height will be raised by approximately 0.21m.

#### 7.0 Relevant Planning History

There have been a number of planning applications relating to temporary classrooms and other structures but these are not relevant to the current proposal.

3/2012/0036 - West Moors Middle School, Heathfield Way, West Moors, Wimborne, Dorset, BH22 0DA - Installation of photovoltaics to the roof - Granted on 05/03/2012.

3/21/1810/PNPHV - West Moors Middle School, Heathfield Way, West Moors, Ferndown, BH22 0DA - Installation of solar photovoltaics (PV) equipment on roof - Prior Approval Not Required on 12/11/2021.

#### 8.0 List of Relevant Constraints

Within West Moor Settlement; no relevant constraints.

#### 9.0 Consultations

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

##### Consultees

1. **Dorset Council - Environmental Services – Protection** (11.08.2023)

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No comments or objections

**2. West Moors Town Council (25.08.2023)**

No objection

**Representations received**

None received

**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 Christchurch and East Dorset Local Plan:**

The following policies are considered to be relevant to this proposal:

KS1 - Presumption in favour of sustainable development

KS2- Settlement hierarchy

HE2 - Design of new development

ME1- Safeguarding Biodiversity and Geodiversity

**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.

**Other material considerations**

**National Planning Policy Framework 2023:**

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits

when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 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...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 approve applications for sustainable development where possible.
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:  
The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.  
It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.  
Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and enhancing the natural environment'

## 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

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- 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 insulated roof will not impact materially on anyone with a protected characteristic.

#### **14.0 Financial benefits**

None relevant

#### **15.0 Environmental Implications**

The proposal will reduce carbon emissions by improving heat retention.

#### **16.0 Planning Assessment**

16.1 The main planning considerations are:

- the principle of development and
- the impact on the character and appearance of the area
- the impact on neighbouring amenity

These and other issues are considered below.

##### The principle of development

16.2 The site lies within the settlement of West Moors where the principle of development is acceptable in accordance with policy KS2.

##### Impact on character and appearance

16.3 The proposed insulation of the roof will have minimal visual impact. The school building is set back in its plot and the modest increase in the height of the building can be accommodated without any harmful impact on the character and appearance of the area in accordance with policy HE2.

##### Impact on neighbouring amenity

16.4 The nearest neighbouring properties are dwellings on Elmhurst Road to the west, with approximately 16m between the school building and the western boundary and approximately 35m building to building. Whilst there may be some disturbance for neighbours during the construction period, this will be for a limited duration and no demonstrable harm is anticipated.

Other issues

- 16.5 The application is accompanied by a negative bat check certificate; no bats were found to be using the building, but future external lighting should be bat friendly to avoid harm to bats that may use on-site habitats for foraging and commuting. The lighting criteria set out in the bat certificate can be secured by condition to accord with policy ME1. An informative note will also be added encouraging the installation of bird and bat boxes.

**17.0 Conclusion**

For the above reasons the application is found to accord with the Development Plan and approval is recommended.

**18.0 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:  
A106 The location plan  
A108 A Proposed Elevations

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

3. There shall be no external lighting installed as part of the development unless it accords with the criteria set out on page 4 of LC Ecological Services Negative Bat Check Certificate dated 28 April 2023.

Reason: In the interests of biodiversity

**Informative Notes:**

1. The installation of bird and bat boxes on the new roof is encouraged in the interests of biodiversity. Information to assist installation is included in the negative bat check certificate accompanying the application.

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

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