

Application Number:	P/FUL/2022/02607		
Site Address:	Cerne Abbas Church of England First School, Duck Street, Cerne Abbas, Dorset, DT2 7LA		
Proposal:	Erect building for use as Learning Resource Centre		
Applicant:	Dorset Council		
Case Officer:	Huw Williams, Lead Project Officer – Corporate Projects		
Ward Member(s):	Cllr Jill Haynes, Chalk Valleys Ward		
Webpage:	The application and other information about the application may be inspected online through the application webpages accessible via https://planning.dorsetcouncil.gov.uk/ .		
Publicity Expiry:	20 October 2023	Officer Site Visit:	16 May 2022
Decision Due:	25 October 2023	Extensions of time:	Yes

1. Reason Application Reported to Committee

- 1.1 The application is made by Dorset Council ('the Applicant') and relates to land that is owned by Dorset Council. The application is reported to committee in accordance with requirements of Dorset Council's Constitution for committee's consideration and determination.

2. Summary of Recommendation

- 2.1 That planning permission be granted subject to the conditions set out in paragraph 22.3 of this report.

3. Reason for the Recommendation

- 3.1 The recommendation to grant planning permission is made following consideration of:
- (i) the application;
 - (ii) the development plan;
 - (iii) national planning policy and guidance;
 - (iv) consultation responses and other representations made about the application;
 - (v) relevant legislation; and
 - (vi) other matters set out in this report.
- 3.2 The application falls to be considered having regard to the provisions of the development plan, so far as material to the application, and to other material considerations, with the determination to be made in accordance with the development plan unless material considerations indicate otherwise.

3.3 At the time of writing, consultation on the application is ongoing. Without prejudice to any matters that may yet be raised in representations about the application, it is considered that the application proposal is in general accordance with the development plan and that there are no material considerations warranting or requiring that the application be determined other than in accordance with the development plan. Subject to recommended conditions, it is considered that planning permission should be granted. Any relevant and material representations made during the ongoing consultation period will be summarised in an update for members prior to the committee meeting.

4. Summary of Conclusions on Key Planning Issues

4.1 The table below provides a summary of the conclusions drawn in relation to the main planning issues assessed in subsequent sections of this report.

Issue	Conclusion
Acceptability in principle of proposed development	Suitable and sustainable location for proposed development to which there is no in principle land use objection.
Flood risk, climate change and the natural environment	Sustainable form of development that responds positively to the climate emergency and which meets or exceeds development plan requirements for climate change, flood risk and for conserving and enhancing the natural environment.
Impact on character and appearance of application site and surroundings	Proposal is in accordance with most relevant design related policies of the Adopted Local Plan.
Impact on Heritage Assets	No harm to either character or appearance of Cerne Abbas Conservation Area and no harm to significance of known heritage assets.
Impact on amenity	No unacceptable impact on amenity or use of any property.

5. Background and Description of the Site

5.1 Planning permission is sought for the erection of a learning resource centre on land at Cerne Abbas Church of England First School.

- 5.2 The application was submitted on 21 April 2022 but has since been amended most recently through the submission on 07 September 2023 of amended plans and further supporting information.
- 5.3 The submitted Location Plan (DWG No. 4651-BB-XX-XX-DRA-A-01 Rev A dated 29/03/22) identifies the extent of the planning application site ('the Application Site') edged red and other land in the applicant's ownership or control edged blue.
- 5.4 The Application Site comprises approximately 250 sqm of hard-surfaced playing field land to the north of the main school building on the western side of Duck Street and mostly comprises a small playground.
- 5.5 The playground is slightly elevated above Duck Street and is enclosed from Duck Street by a brick wall and railings inside of which is a higher wire mesh fence. Within the playground are a number of ancillary structures including a pergola/canopy and a timber shed.
- 5.6 The blue edged land shown on the Location Plan contains the associated school buildings and further playing field land including:
- (i) the main school building fronting the western side of Duck Street;
 - (ii) rising land and other school facilities to the rear (west) of the main school building; and
 - (iii) playing field land on the eastern side of Duck Street including a grass playing pitch, an equipped play area and a hard-surfaced multi-use games area.
- 5.7 The main school building is partly of Victorian construction, stands immediately adjacent to the pavement in Duck Street, adjoins a residential property (No.11 Duck Street) to the south and has been extended to the rear.
- 5.8 The western edge of the playground comprises a retaining wall above which is a timber fence that defines the curtilage of a residential property (No 2 Springfield).
- 5.9 To the north of the Application Site is the residential curtilage of No. 13 Duck Street, the adjacent area of curtilage including a detached garage, a substantial tree and some shrubs.
- 5.10 A stream runs alongside the eastern side of Duck Street.
- 5.11 Pedestrian access to the playing field land beyond the stream can be gained via a footbridge opposite the main school building, the footbridge forming part of a public footpath route linking to the Abbey precinct beyond the school grounds.
- 5.12 Also opposite the main school building is another residential property (No. 22 Duck Street).

6. Description of the Proposed Development

- 6.1 In addition to the requisite forms, plans and drawings the application is supported by:

- (i) a Planning Statement prepared by Boon Brown (the Applicant's Agent);
 - (ii) a Design and Access Statement prepared by the Applicant's Agent;
 - (iii) a Heritage Statement prepared by Land Use Consultants Limited;
 - (iv) a Biodiversity Check List completed by the Applicant's Agent;
 - (v) a Road Safety Risk Assessment prepared by Dorset County Council; and
 - (vi) a Flood Risk Assessment and Drainage Strategy prepared by RMA Environmental Limited.
- 6.2 The proposed learning resource centre would comprise a light weight, single storey, building that would be positioned between the main school building and No 13 Duck Street and that would be set back from the road frontage.
- 6.3 The building would provide approximately 83sqm of floorspace that would be used as ancillary teaching space and office space.
- 6.4 The Planning Statement submitted in support of the application explains that there is a need within the school to provide additional teaching space, not only to better the current facilities but also to ensure the school is able to achieve its critical mass in terms of number of pupils in attendance.
- 6.5 Provision of the proposed building would allow for the repurposing of the existing learning resource centre as a classroom and provide a new approach to the school, ensuring better visibility of those approaching and entering the school site, and the ability to segregate visitors from the main school building, enhancing security and safeguarding.
- 6.6 Due to the constraints of the site, a lightweight modular construction is favoured to ensure an efficient delivery with little disruption to the school.
- 6.7 The Design and Access Statement notes that the proposed building has been designed to be a low-profile addition to the school, with its height limited to sit below the eaves and ridge level of the existing school building. It is further stated that the mass of the building has been set back into the site to reduce the visual impact of the proposed and to ensure the original school building remains the dominant presence on the street scene and that:
- “The proposed LRC is contemporary in nature yet takes influence from Architectural features seen on the original school building and responds with a sympathetic aesthetic. This has been achieved with the use of complimentary materials and accents, large window openings with feature surrounds, and matching of roof pitch with the existing.”
- 6.8 To address concerns raised by Dorset Council's Conservation Officer, the form of the building has been reviewed, introducing pitched roofs and amended detailing to ensure that it does not detract from the main school building and remains subservient from views within the Conservation Area. The building height has been kept to a minimum, with both eaves and ridge of the proposed to sit beneath the eaves and ridge line of the main school building.

6.9 Externally, the building would be part rendered and part clad in grey brick slip cladding with aluminium windows and doors, fibre cement slates, black rainwater goods, and photo voltaic panels.

7. Relevant Planning History

7.1 The main school building has been extended through various additions to its rear and further school facilities have been provided by the construction of detached lightweight buildings to the rear of the main school building.

7.2 In January 2022, planning permission was granted for the installation of roof mounted solar photovoltaic (PV) panels on the main school building (Application P/FUL/2021/03872).

8. Designations and Constraints

8.1 The Application Site is located within the designated Cerne Valley Neighbourhood Area wherein the development plan includes:

- (i) the West Dorset, Weymouth & Portland Local Plan 2015 adopted by the former West Dorset District Council in October 2015 ('the Adopted Local Plan'); and
- (ii) the Cerne Valley Neighbourhood Plan issued September 2014 ('the Made Neighbourhood Plan').

8.2 The Application Site is not subject to any site specific development plan policy or land use allocation but is located entirely within the development boundary for Cerne Abbas as defined in Adopted Local Plan. The Application Site is further located:

- (i) entirely within the designated Dorset Area of Outstanding Natural Beauty (the Dorset AONB);
- (ii) entirely within the designated Cerne Abbas Conservation Area;
- (iii) entirely with the Lower Magiston Groundwater Protection Zone;
- (iv) located within an area with potential for groundwater flooding to occur at the surface; and
- (v) with an area identified to be at high risk of foul sewer inundation.

8.3 The Environment Agency's flood map for planning indicates that the majority of the Application Site lies within Flood Zone 1, but with an area along the south-eastern corner of the Site located within Flood Zone 2.

8.4 The Environment Agency's risk of flooding from surface water mapping identifies that the majority of the site has a very low risk of flooding from surface water and two limited areas of low surface water flood risk are located along Duck Street.

8.5 There are no statutorily listed buildings either within or adjoining the Application Site, but, in reference to the main school building and the attached dwelling, the Cerne Abbas Conservation Area Appraisal identifies 'The Primary School and

former schoolhouse' as Locally Important Buildings, the citation in the Conservation Area appraisal noting:

“... an essay in Tudor Revival, with flint and chalk block banding and Hamstone dressings, render and stone on the attached schoolhouse, attractive a good entry feature when entering Duck Lane from the north.”

- 8.6 As an identified Locally Important Building, the main school building and the attached dwelling constitute non-designated heritage assets.
- 8.7 The nearest statutorily listed buildings are located approximately 100 metres from the Application Site on the east side of Duck Street.
- 8.8 The nearest scheduled monument and further statutorily listed buildings including the Grade I listed Cerne Abbey are located in the Abbey Precinct.
- 8.9 The Application Site is not located within and does not adjoin any statutorily designated nature conservation site but is located entirely within the Poole Harbour Nutrients Catchment Area.

9. Consultations

- 9.1 The application has been advertised on site and in the local press.
- 9.2 Consultation responses and other representations made about the application may be inspected online on the application webpages accessible via <https://planning.dorsetcouncil.gov.uk/> and are summarised below.
- 9.3 The application was re-advertised following the amendment of the application. At the time of writing the consultation period is ongoing and will end on 20 October 2023. Any further consultation responses and other representations made about the application will be reported at committee.
- 9.4 Cerne Valley Parish Council
Responded on 13 May 2022 indicating that the Parish Council supports this application.

Further response received 13 October 2023 indicating support for the amended proposal.
- 9.5 Wessex Water
- 9.6 Responded on 24 May 2022:
 - (i) advising that there are no recorded public sewers or water mains within the Application Site;
 - (ii) noting that that the site is located in an area prone to sewer flooding caused by high levels of ground water during prolonged periods of wet weather;
 - (iii) advising that separate systems of drainage on site must be completely watertight and vent stacks rather than durgo valves must be used to prevent restricted toilet use during these prevailing conditions;
 - (iv) noting that there are no surface water drainage plans available to view;

- (v) stating that surface water must be disposed of via the SuDS Hierarchy which is subject to Building Regulations;
- (vi) noting that there is a water course in close proximity; and
- (vii) providing a copy Wessex Water's surface water policy for minor developments.

Further response received 04 October 2023 noting that the applicant now is proposing to direct surface water to rain gardens and rain butt and that this is acceptable to Wessex Water as there are no proposals to connect surface waters to the foul network.

9.7 Dorset Council - Ward Member

No response received.

9.8 Dorset Council – Transport Development Management

Responded on 20 May 2022 advising that the Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection.

9.9 Dorset Council – Building Control

No response received.

9.10 Dorset Council – Conservation and Design Officer

Responded to the original application proposal on 14 June 2022 indicating that the proposal would cause harm to the distinctiveness and special character of the Conservation Area and the main school building but that following a revision of design and material, this harm could be overcome and the application could be fully supported. Response further indicated that:

- (a) The proposed materials do not reflect the existing material palette of the non-designated heritage asset (i.e. the main school building) nor of the conservation area.
- (b) The proposed “stone-like cladding” is not considered to be of high quality and not a traditional material. It is therefore not appropriate for Cerne Abbas Conservation Area.
- (c) The design with the flat roof is too “boxy” and would become dominating.
- (d) The main elevation should be in keeping with the main school building.
- (e) Further stated that the following design amendments are requested:
- (f) The materials used should reflect the local distinctiveness and be in keeping with those found in the Conservation Area and the main school building. They should also be traditional materials. Therefore, for instance, flint and chalk block banding should be used.
- (g) A more traditional design with a double pitch roof should be introduced to avoid the “boxy” appearance.

- (h) For the main elevation to sit more comfortably with the non-designated heritage asset we recommend moving the entrance door to the side so that only windows are kept on the front elevation. This would create a visual continuity with the school and minimise the visual impact of a new building.
- (i) Window frames should not be painted black but in light grey or white, in keeping with the colours found in the conservation area and in particular along this street.

Following initial amendments made to the application proposals, further commented that

“... the revised drawings make little changes to the initial proposed design, and the boxy appearance will still lead to less than substantial harm to the special character of the conservation area and the setting of the listed building. Timber cladding is not found around Cerne Abbas Conservation Area and therefore would not be an appropriate material as required by Policy 2 of Cerne Valley Neighbourhood Plan.

“The building as it stands would stand out too much in the street scene which would have a detrimental impact.

“I understand the budget constraint the school is working with which prevents for more elaborate design and the use of local materials. If another location could be found, for instance much further from the street and behind the school (towards the existing teaching shed), the current design and material could remain unchanged.”

The latest amendments were developed with further input from the Conservation Officer who considers that the now proposed design and materials are a lot more in keeping with the character of the conservation area, and who now considers that there is no harm. Conditions are recommended for approval of external materials and rainwater goods.

9.11 Dorset Council - Waste Services

No response received.

10. Other Representations Made About the Application

10.1 Letters of support for the application were received from Year 3 pupils at the school and the Chair of the School's Governing Body explaining the need for the development, and the benefits for education, the local community and well-being.

10.2 No other representations have been received relating to the application.

11. Duties

11.1 Section 38(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.

- 11.2 The Planning Listed Buildings and Conservation Areas Act 1990 (as amended) provides that:
- (i) in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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 66(1)); and
 - (ii) in the exercise of planning control with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (section 72(1)).
- 11.3 Section 85 of the Countryside and Rights of Way Act 2000 provides that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.
- 11.4
- 11.5 Under section 40(1) of the Natural Environment and Rural Communities Act 2006 (as amended), in exercising its functions in relation to England, public authorities must, in so far as is consistent with the proper exercise of those functions, have regard to the purpose of conserving biodiversity.
- 11.6 Section 149 of the Equalities Act 2010 (as amended) provides that in the exercise of its functions a public authority must have due regard to the need to:
- (i) eliminate discrimination, victimisation and any other conduct that is prohibited by or under the Act;
 - (ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.7 Commonly referred to as ‘the Public Sector Equalities Duty’, the relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

12. Relevant Policies

Development Plan Policies

- 12.1 The Adopted Local Plan addresses the period to 2031 and sets out a vision for the former District of West Dorset as well as strategic and detailed development management policies for realising that vision.
- 12.2 Having regard to the location of the Application Site and to the nature and details of the application proposal, the most relevant policies of the Adopted Local Plan are:
- INT1. Presumption in Favour of Sustainable Development;

- SUS2. Distribution of Development;
 - ENV1. Landscape, Seascape and Sites of Geological Interest;
 - ENV2. Wildlife and Habitats;
 - ENV4. Heritage Assets;
 - ENV5. Flood Risk;
 - ENV10. The Landscape and Townscape Setting;
 - ENV11. The Pattern of Streets and Spaces;
 - ENV12. The Design and Positioning of Buildings;
 - ENV13. Achieving High Levels of Environmental Performance;
 - ENV15. Efficient and Appropriate Use of Land; and
 - ENV16. Amenity.
- 12.3 The Made Neighbourhood Plan identifies the Cerne Valley as a very special place to live and visit and aims to retain this status by protecting the environment and communities whilst seeking to encourage change which will enhance the appeal and sustainability of the area.
- 12.4 The policies of the Made Neighbourhood Plan are consistent with the policies of the Adopted Local Plan. Policy 2 of the Made Neighbourhood Plan is relevant and provides that all applications for new development should demonstrate high quality of design, use of materials and detail, which reflect local distinctiveness; and also have regard to prevailing scale, massing and density and other design principles as set in the Plan.
- 12.5 Policy 6 of the Made Neighbourhood plan states that planning applications must consider all flood risk issues, including surface water, flood zones and flood inundation areas, to ensure there is no adverse impact on local flood risk through development.

Supplementary Planning Policy and Guidance

- 12.6 Relevant supplementary policy or guidance is set out in:
- (a) the Dorset Area of Outstanding Natural Beauty Management Plan 2019-2024 sets out an approach to and management policies for conserving and enhancing the AONB's natural beauty;
 - (b) the Cerne Abbas, Charminster, Sydling St Nicholas and Godmanstone Conservation Area Appraisal adopted by the former West Dorset District Council in December 2006;
 - (c) the Biodiversity Net Gain Guidance for Applicants and Agents v1.0 issued by Dorset Council in July 2023 v1.0 which sets out current policy on biodiversity net gain ('BNG');
 - (d) the Planning for Climate Change Interim Guidance and Position Statement Consultation April 2023 issued for consultation by Dorset Council in April 2023 to help decision makers weigh up the benefits of addressing climate change with other material considerations and addressing sustainable design and construction and planning for renewable energy scheme; and

(e) the Design and Sustainable Development Guidelines adopted by the former West Dorset District Council in February 2009.

National Planning Policy and Guidance

- 12.7 Government planning policy as set out in the National Planning Policy Framework issued by the Department for Levelling Up, Housing and Communities in September 2023 ('the NPPF') is material to planning decisions in England.
- 12.8 The NPPF includes pertinent policy on the purpose of the planning system, on decision taking and making, and on a range of other matters including:
- (i) promoting healthy and safe communities;
 - (ii) making effective use of land;
 - (iii) achieving well-designed places;
 - (iv) meeting the challenge of climate change, flooding and coastal change;
 - (v) conserving and enhancing the natural environment; and
 - (vi) conserving and enhancing the historic environment.

Emerging Planning Policy

- 12.9 Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:
- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - (b) 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
 - (c) 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).
- 12.10 The Dorset Council Local Plan options consultation took place between 15 January and 15 March 2021. Being at a very early stage of preparation, the Dorset Council Local Plan Consultation January 2021 (the Emerging Draft Local Plan') should be accorded very limited weight in decision making.

13. Human Rights

- 13.1 The Human Rights Act 1998 (as amended) imposes an obligation on public authorities not to act incompatibly with the European Convention on 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.

13.2 The 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.

14. Public Sector Equalities Duty

14.1 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:-

- (i) Removing or minimising disadvantages suffered by people due to their protected characteristics
- (ii) Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- (iii) Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

14.2 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.

14.3 No material change is proposed to the existing site access arrangement and the internal configuration of the proposed building will be subject to regulation under the Building Regulations. Access to the application site is impacted by the topography of the site but considered that reasonable provision has been made for people with disability. It is not considered that people with other protected characteristics will be affected by the proposal.

15. Local Finance Considerations

15.1 For the purposes of section 70(2) of the Town and Country Planning Act 1990 (as amended) “local finance consideration” means:

- (i) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (ii) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

15.2 To be material to the determination of an application for planning permission, a local finance consideration must have the potential to help make development acceptable in planning terms. Accordingly, the consideration must have a planning purpose and must fairly and reasonably relate to the development.

15.3 The Community Infrastructure Levy (CIL) is operated in the former district area of West Dorset but the proposed development is not of a type for which CIL is levied. The submitted application does not refer to any other grant or financial assistance that would constitute a local finance consideration.

16. Main Issues to Be Considered

- 16.1 Having regard to the location of the Application Site, to the nature of the proposed development and to the representations made about the application, the main issues in the determination of the application relate to:
- (i) the acceptability in principle of proposed development;
 - (ii) climate change and flood risk;
 - (iii) the impact of the proposed development on the character and appearance of the Application Site and its surroundings;
 - (iv) impact on the historic environment, heritage assets and heritage significance; and
 - (v) impact on the amenity of neighbouring residents.

17. Acceptability In Principle of the Proposed Development

- 17.1 The Application Site is not subject to any site specific development plan policy or land use allocation but is located entirely within the development boundary for Cerne Abbas as defined in Adopted Local Plan and wherein Policy SUS2 of the Adopted Local Plan provides that residential, employment and other development to meet the needs of the local area will normally be permitted.
- 17.2 The proposed learning resources centre would be constructed on previously developed land within the existing school grounds. The application proposal provides for the development of additional teaching and administration space in place of a hard-surfaced playground. Construction of the proposed learning resource centre would be to the benefit of education services.
- 17.3 Policy INT1 of the Adopted Local Plan states that there will be a presumption in favour of sustainable development that will improve the economic, social and environmental conditions in the area and Policy 8 of the Made Neighbourhood Plan states:
- “No development will take place in areas designated as Local Green Spaces in this Plan except where such development demonstrably enhances the use of the space. In addition Community Facilities highlighted in the Plan must be protected, recognising their importance to the sustainability of the area.”
- 17.4 Policy COM2 of the Adopted Local Plan provides that proposals for new, replaced or improved local community buildings or structures will be permitted providing the proposal is within or adjoining an existing settlement and Policy COM6 of the Adopted Local Plan states that proposals for new/replacement facilities or the expansion of existing education and training facilities will be supported, provided that:
- (i) the location is well linked in terms of accessibility to the local catchment (taking into account how this may change through the development of strategic housing sites); and
 - (ii) any loss of facilities consequential to the development is re-provided to the same or higher standard.

- 17.5 Policy COM5 of the Adopted Local Plan provides that development on, or change of use of open spaces of public value and recreational facilities (including school playing fields) will not be permitted unless it can be demonstrated that the open space, buildings or land are surplus to requirements and there is no need for alternative open space of public value or recreational uses which could reasonably take place at the site.
- 17.6 Policy ENV15 of the Adopted Local Plan states that development should optimise the potential of the site and make efficient use of land, subject to the limitations inherent in the site and impact on local character.
- 17.7 Loss of the existing playground to the proposed development would reduce the total extent of playing field land within the school grounds but would not result in the loss of a playing pitch and remaining provision of playing field land would be sufficient to meet the sport and recreational requirements of the school. By reason of its size and positioning, the playground has limited potential for alternative recreational use.
- 17.8 Government planning policy set out in paragraph 95 of the NPPF makes clear that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education and should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.
- 17.9 The First School is well served by other outdoor space and play facilities, such that the application site represents a sustainable, suitable and appropriate location for the development proposed to which there is no in principle land use objection.

18. Flood Risk, Climate Change and the Natural Environment

- 18.1 The application proposal provides for a sustainable form of development that responds positively to the climate emergency and which meets or exceeds development plan requirements for climate change, flood risk and for conserving and enhancing the natural environment.
- 18.2 Paragraph 152 of the NPPF states:
“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”
- 18.3 Policy ENV5 of the Adopted Local Plan states that new development or the intensification of existing uses should be planned to avoid risk of flooding (from

surface water run-off, groundwater, fluvial and coastal sources) where possible and that the risk of flooding will be minimised by:

- steering development towards the areas of lowest risk and avoiding inappropriate development in the higher flood risk zones;
- ensuring development will not generate flooding through surface water run-off and/or exacerbate flooding elsewhere.

18.4 Policy ENV5 further states that in assessing proposals for development in an area with a medium or higher risk of flooding, the council will need to be satisfied that:

- there are no reasonably available alternative sites with a lower probability of flooding adequate measures will be taken to mitigate the risk and ensure that potential occupants will be safe, including measures to ensure the development is appropriately flood resilient and resistant; and
- safe access and escape routes are provided where required.

18.5 Policy ENV13 of the Adopted Local Plan provides that new buildings and alterations / extensions to existing buildings are expected to achieve high standards of environmental performance.

18.6 The building would be constructed from highly insulated modular timber frame panels with an emphasis on low air permeability detailing. Ventilation would be provided through a mechanical ventilation system with heat recovery, reducing the energy required to heat the building. Solar PV panels are proposed on the rear roof slopes providing a sympathetic and sustainable source of energy generation.

18.7 The Application Site is located partly within and adjacent to areas at acknowledged risk of flooding, but the Flood Risk Assessment and Drainage Strategy presented in support of the application demonstrate compliance with Policy ENV5 of the Adopted Local Plan and with government planning policy for flood risk set out in the NPPF.

18.8 Due to the highly constrained nature of the site and the low existing runoff rates, the proposal is that runoff from the roof of the proposed building be attenuated within a green roof, water butt and rain garden. Whilst the proposed arrangement will not limit runoff equivalent greenfield runoff rates the strategy will provide a significant betterment on the existing runoff rates.

18.9 The Application Site has offers very little of ecological value such that the proposed green roof and water garden would result in a net gain for biodiversity. No trees or other features of ecological importance would be lost the proposed development.

19. Impact on Character and Appearance of Application Site and its Setting

19.1 As amended, the proposed development is considered to be in accordance with most relevant design related policies of the Adopted Local Plan.

- 19.2 The Dorset AONB is a nationally important landscape of more than 1,100 square kilometres that has many special qualities including a collection of fine landscapes, each with its own characteristics and sense of place; wildlife of national and international significance; and an exceptional wealth of heritage including a rich legacy of historical associations, 82 designated conservation areas and over 4,000 listed buildings.
- 19.3 Section 6.3.3 of the Dorset AONB Management Plan notes that the marks of human occupation are integral components of the 'natural' landscape; a record of how people have used the environment and the resources it provides over time, giving an insight into the lives of previous occupiers of the landscape and providing a sense of time depth and contributing to uniqueness in a sense of place.
- 19.4 The proposed development would not harm the character, special qualities or natural beauty of the Dorset AONB nor interrupt panoramic views of individual landmarks.
- 19.5 The Cerne Abbas Conservation Area was designated in 1971 and covers an area of approximately 28 hectares, making a notable contribution to the cultural heritage of the Chalk Valley and Downlands landscape character area and to the Dorset AONB more generally.
- 19.6 The key characteristics of the Cerne Abbas Conservation area are identified in the Cerne Abbas Conservation Area Appraisal to include:
- (i) a fine landscape setting, with dramatic topography, an attractive river course, mature trees, hedged lanes and views out from the settlement core;
 - (ii) good clean edges to the settlement to the north and NE and a potentially strong boundary to the south;
 - (iii) well defined entry points;
 - (iv) a rich archaeological heritage, with prehistoric earthworks and settlement sites, the Giant, the Abbey site and surviving buildings, an intact village plan and many plot divisions, post-medieval larger houses and cottages and industrial sites;
 - (v) 74 listed building entries, including a Grade I church, former Abbey buildings and Abbey Farm, several large gentry houses, and a strong underpinning of smaller cottages and public buildings;
 - (vi) about 15 important local buildings of character and/or group value;
 - (vii) coherent groups of listed and unlisted buildings, boundary walls, trees and details; and
 - (viii) consistent use of local flint and chalk block, thatch and vernacular buildings that give an overall unity to the village.
- 19.7 The landscape setting of the designated Conservation Area is an important element of the area's significance contributing to its archaeological and historic value, as well as its scenic characteristics. Views down into the settlement from

the surrounding environs allow for the appreciation of its historic planform, which furnishes illustrative value.

- 19.8 The quality of the architecture is appropriate to its setting next to the main school building and being set back from the road frontage is well related to and does not overpower the original building or neighbouring properties.
- 19.9 The proposed building is of modest proportions and, as amended, the proposed design is considered to be of an appropriate quality, and to provide for an acceptable, sustainable and inclusive school facility with siting, appearance, scale, mass and materials that respect and which would complement the character the surrounding area.

20. Impact on Heritage Assets

- 20.1 As amended, the application proposal is considered to be in accordance with Policy ENV4 of Adopted Local Plan in that it would not harm either the character, the appearance or the heritage significance of the Cerne Abbas Conservation Area or any other designated heritage assets including the listed buildings along Duck Street and more distant scheduled monuments and their associated listed buildings.
- 20.2 Concerns raised regarding the potential for harm to the character and appearance of the conservation area have been addressed and resolved through amendment made to the application proposal.
- 20.3 Presence of the proposed learning resource centre would result in slight detriment to the setting of the main school building (a non-designated heritage asset) by reason of loss to the proposed development of the majority of the associated playground area, but would not prevent appreciation of the school's architectural, historic or cultural importance and would therefore not detract from asset's heritage significance. Provision of the proposed learning resource centre would also help to sustain the use of the heritage asset as a school, the purpose for which it was constructed.

21. Impact on Amenity

- 21.1 Policy ENV16 of the Adopted Local Plan states that proposals for development should be designed to minimize their impact on the amenity and quiet enjoyment of both existing residents and future residents within the development and close to it. The application proposal is sympathetic to the site context and neighbouring properties. The proposed development will not have any unacceptable impact on the amenity or use of any third party property.

22. Conclusion and Recommendation

- 22.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

22.2 The application proposal provides for an appropriate and sustainable form of development that is considered to in general accordance with relevant provisions of the development and national planning policy. With no social, environmental, economic or other material planning considerations either warranting or necessitating that the application be determined other than in accordance with the development plan, conditional planning permission should be granted.

22.3 Accordingly it is recommended that planning permission be granted subject to the following conditions:

(1) Time Limit – Commencement of Development

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended).

(2) Development in Accordance with Approved Plans

Unless otherwise required by the conditions of this permission, the development hereby permitted shall be carried out in accordance with the following plans submitted as part of the application:

- (i) DWG No. 4651-BB-XX-XX-DRA-A-01 Rev A dated 29/03/22 titled "Location Plan";
- (ii) DWG No. 4651-BB-XX-00-DR-A-02 Rev C dated 11/08/23 titled "Proposed Site Plan and Ground Floor Plan;
- (iii) DWG No. 4651-BB-XX-XX-DR-A-03 Rev C dated 11/08/23 titled "Proposed Roof Plan";
- (iv) DWG No. 4651-BB-XX-XX-DR-A-04 Rev E dated 11/08/23 titled "Proposed Elevations"; and
- (v) DWG No. 4651-BB-XX-XX-DR-A-07 dated 14/08/2023 titled "Proposed Sections".

Reason: To regulate the development in accordance with the application proposal having regard to Policies ENV1, ENV2, ENV4, ENV5, ENV10, ENV11, ENV12, and ENV13 of the adopted West Dorset, Weymouth & Portland Local Plan 2015 and to government planning policy set out in the National Planning Policy Framework (September 2023).

(3) External Materials – Samples to be Submitted and Approved

Prior to the construction of the building hereby permitted details and samples of all external facing materials for the walls, roofing and any other external surfaces shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development in the in relation to existing development and the designated Cerne Abbas Conservation Area having regard to Policies ENV1, ENV4, ENV10 and

ENV12 of the adopted West Dorset, Weymouth & Portland Local Plan 2015 and to government planning policy set out in the National Planning Policy Framework (September 2023).