

Eastern Area Planning Committee
25th October
Decision List

Application Reference: P/FUL/2022/04653

Application Site: Pier View Flats, Seymer Road, Swanage, BH19 2AQ

Proposal: Bin store within the curtilage of Royal Victoria & Pier View Apartments

Recommendation: The committee be minded to GRANT planning permission subject to conditions as set out in Section 18 of this report.

Decision: Refuse for the following reasons:

1. The proposed bin store by reason of its open nature, elevated design and close proximity to the residential dwelling known as Peter's Hole would result in demonstrable harm to neighbouring amenity by reason of overlooking, noise associated with rubbish deposits and collection and odours, contrary to policy D of the Purbeck Local Plan Part 1 and paragraph 130 of the National Planning Policy Framework (2023).
2. The bin store, by reason of its scale, location, open design which will allow views of the bins from the public footpath and associated odours would result in less than substantial harm to the setting of Grade II listed Pier View Flats, Royal Victoria Hotel and Peter's Hole. The harm is not outweighed by the public benefits of accessible bin store provision; the store has insufficient capacity for the identified waste storage needs of the units it is intended to serve. The proposal is contrary to policy LHH of the Purbeck Local Plan Part 1 and section 16 of the National Planning Policy Framework (2023).

Informatives:

1. National Planning Policy Framework

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and –
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

-The applicant/ agent took the opportunity to enter into pre-application discussions.

-The applicant and council have worked together to minimise the reasons for refusal.

Application Reference: P/LBC/2022/05648

Application Site: Pier View Flats, Seymer Road, Swanage, BH19 2AQ

Proposal: Bin store within the curtilage of Royal Victoria & Pier View Apartments

Recommendation: The committee be minded to GRANT listed building consent subject to conditions as set out in Section 18 of this report.

Decision: Refuse for the following reason:

1. The bin store, by reason of its scale, location, open design which will allow views of the bins from the public footpath and associated odours would result in less than substantial harm to the setting of Grade II listed Pier View Flats, Royal Victoria Hotel and Peter's Hole. The harm is not outweighed by the public benefits of accessible bin store provision; the store has insufficient capacity for the identified waste storage needs of the units it is intended to serve. The proposal is contrary to policy LHH of the Purbeck Local Plan Part 1 and section 16 of the National Planning Policy Framework (2023).

Informatives:

1. National Planning Policy Framework

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and –

- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

-The applicant/ agent entered into pre-application discussions

- The applicant and council have worked together to minimise the reasons for refusal

Application Reference: P/HOU/2022/06153

Application Site: 10 Court Road Swanage BH19 1JE

Proposal: Two storey rear extension with dormer window and internal alterations

Recommendation: Grant planning permission subject to conditions.

Decision: **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:

22/014/D1 - Location plan submitted 06/10/2022

22/014/D2 - Block plan submitted 06/10/2022

22/014/SK1 - Proposed floor plans and elevations submitted 06/10/2022

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

3. The materials to be used on the proposed development shall accord with those identified on plan 22/014/SK1 with the render finish to match the existing dwelling.

Reason: In the interests of the amenity of the area

4. In the first instance and on all subsequent occasions the window in the rear dormer at second floor level serving the en-suite shall be obscure glazed to at least Industry Standard level 3 obscurity.

Reason: In the interests of amenity

Informative Notes:

1. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.
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>

3. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

4. 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 was provided with pre-application advice.
- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

Application Reference: P/FUL/2023/00350

Application Site: 124 Ringwood Road Longham BH22 9AW

Proposal: Change of use from existing Car Showroom building (sui generis) to Bakery (use class E), with external alterations including addition of air conditioning/extraction

Recommendation: GRANT subject to conditions set out in section 17.

Decision: **Grant, subject to the following conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

RSTH/S5968/500 A Location Plan & Existing Ground Floor Plan

RSTH/S5968/502 A Proposed Ground Floor Plan & Detail

RSTH/S5968/503 Proposed Elevations

RSTH/S5968/504 A Proposed Block Plan

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

3. Before any new external materials are used on the site, details shall be submitted to the Local Planning Authority for agreement in writing. Only materials agreed by the Local Planning Authority shall be used in the development.

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

4. Prior to commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement shall include mitigation measures that manage any possible adverse effects associated with the development during the construction period and should include: operating times of construction, no bonfires, protection of nearby receptors from dust arising from construction & vehicle movements, and the storage of waste materials prior to removal from the site.

The approved development shall be carried out strictly in accordance with the approved Construction Method Statement.

Reason: In the interests of neighbouring amenity.

5. Prior to first use of the approved development, a soft landscaping and planting scheme including details of existing and proposed planting on the west, south and eastern boundaries shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

6. Prior to the first use of the building for the use hereby approved the turning/manoeuvring and parking shown on Drawing Number RSTH/S5968/504 revision A must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

7. Prior to first use of the building for the use hereby approved, details of the mitigation (12kg/m² barrier fence and extraction attenuator to provide the minimum attenuator insertion loss shown in table 6.5) within section 6.2 'Rating

Noise Level and Assessment' of the submitted Noise Impact Assessment Report ref: VA4718.230523.NIA (produced by Venta Acoustics, dated 24 May 2023) shall be submitted to and approved in writing by the Local Planning Authority. The mitigation shall be installed in accordance with the approved details and shall thereafter be maintained as per the approved documents. Sufficient space will be provided to accommodate the extra attenuator in addition to the carbon filter (odour mitigation) within the extraction system.

Reason: In the interest of neighbouring amenity.

8. Prior to the commencement of installation of the commercial kitchen extraction system, a scheme containing full details of the arrangements for internal air extraction, odour control, and discharge to atmosphere from cooking operations, including any external ducting and flues, shall be submitted to, and approved in writing by the Local Planning Authority (LPA) along with an appropriate odour assessment. The works detailed in the approved scheme shall be installed in their entirety before the first use or first occupation of the hereby approved development. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out.

Reason: In the interest of neighbouring amenity.

9. Prior to first use of the building for the use hereby approved, details of boundary treatments, the external seating, the barriers, the kerb height around the external seating area and associated paraphernalia, shall be submitted to and agreed by the Local Planning Authority. Such details should include scaled plans and elevations. The boundary treatments and external seating shall be installed as approved and thereafter maintained in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance of the development and in the interests of neighbouring amenity and safety.

10. The business shall be shut to customers and no sale of goods shall take place outside of the hours of 06:00-20:00 each day.

Reason: In the interest of neighbouring amenity.

11. There shall be no deliveries or/and waste collections outside of the hours of 07:00 – 21:00 each day.

Reason: In the interest of neighbouring amenity.

12. No customers shall be allowed to use the outdoor seating area outside of the hours of 08:00 – 20:00 each day.

Reason: In the interest of neighbouring amenity.

13. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

14. Bollards or a barrier must be used on both accesses outside of the operating hours set out at condition 11 to prevent vehicle access to the site when the business is closed.

Reason: In the interests of neighbouring amenity.

Application Reference: P/FUL/2022/04415

Application Site: Sturminster Marshall Golf Club Moor Lane Sturminster Marshall Dorset BH21 4BD

Proposal: Retain single storey changing room building

Recommendation: GRANT subject to conditions set out in section 17.

Decision: **Grant subject to the following conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

1817-01-14 Changing Room Plans (dated October 2021)

1817R-02-09 Location and Block Plan 02 (dated April 2020)

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

2. The external materials to be used for the walls and roofs shall be retained as

Walls: vertical timber cladding.

Roof: flat felt roof.

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

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

2. The applicant is encouraged to introduce additional planting on the site to soften the visual impact of the proposal.

Application Number: P/FUL/2023/01089

Application site: West Moors Middle School Heathfield Way West Moors BH22 0DA

Proposal: Raise roof by adding insulation to flat roof and replacing roofing felt and fascias. Lower roof to be raised by 250mm approximately. Hall roof to be raised by 210mm approximately.

Recommendation: GRANT subject to conditions.

Decision: **Grant subject to the following conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

A106 The location plan

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

Informatives:

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
- 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.