

Application Number:	P/HOU/2024/03857		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	White Gates 9 Church Hill Shaftesbury SP7 8QR		
Proposal:	Remove existing roof and erect first floor extension.		
Applicant name:	Mr & Mrs Sansom		
Case Officer:	Pete Markham		
Ward Member(s):	Cllr Beer and Cllr Jeanes		
Publicity expiry date:	16 August 2024	Officer site visit date:	22 July 2024
Decision due date:	4 September 2024	Ext(s) of time:	N/A
No of Site Notices:	3		
SN displayed reasoning:	1 - on telegraph pole in front of no.8 Church Hill 1 - on road sign opposite neighbouring Saxon Hall, in front of church at junction between Church Hill and The Butt's 1 - on fence next to entrance driveway to property		

1.0 Scheme of delegation referral due to objection from Town Council

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation: as set out in paras 16.0 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.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development within the curtilage of a residential dwellinghouse is acceptable, within a designated settlement boundary.

Design	Proposal has followed pre-application advice in terms of design and is considered an improvement on the existing bungalow.
Impact on the character of the area	Although the proposed scheme would significantly change the appearance of the dwelling, it is not considered to be harmful. The proposal would be suitable in the semi-rural setting and would not demonstrably harm the character of the area.
Impact on heritage assets	Conservation Officer have stated that the design is incongruous with the Conservation area, but no harm specifically identified.
Impact on neighbouring amenity	No significant impact to neighbouring properties
Impact on Biodiversity	No significant impact on Biodiversity
Flood risk and drainage	Due to the nature of the proposed development and the site, flooding is not a material consideration in this instance.
Other material planning considerations	Town Council objections in terms of design.

5.0 Description of Site

The development site is located in the town of Shaftesbury and is inside of the designated settlement boundary. The detached property is a bungalow which forms part of a development of three bungalows. Of the three bungalows, White Gates is set back the furthest from the highway Church Hill. The dwelling cannot be directly viewed from the highway and is naturally screened by vegetation and a double garage. The property borders the A30 to the north and is also screened by mature vegetation and trees. The property is constructed on a brick plinth with render finish to the external walls, concrete roof tiles and UPVC windows and doors.

The site is located inside of Shaftesbury Conservation area, and the Grade II Listed Building, Church of St John the Evangelist is located on the other side of Church Hill. It is located within Shaftesbury Character Zone 7: Enmore Green within the Shaftesbury Neighbourhood Plan. The area is described as having a semi-rural character as a result of its location as a backdrop to the wooded green slopes of the green sandstone plateau to the south, with mature trees and hedges and a network of ancient lanes. The settlement pattern is largely informal comprising of low density, detached, rural cottages and short terraces mainly set back from the street. Slight variations in architectural details provide diversity and interest to the streetscape. The Neighbourhood plan outlines issues to be addressed in the character zone of modern development lacking in local distinctiveness and quality materials, and large in scale compared to historic properties.

6.0 Description of Development

This application proposes to construct a new first floor extension above the existing bungalow. This will include removing the existing roof and constructing a new roof with a height to the ridge of 6.66 metres from ground level (an increase of 0.65 metres from the existing bungalow), and with the eaves height to remain as existing.

The new roof pitch will be 44 degrees with new gable ends created on the south and west elevations. The new roof would include two dormers and a Velux rooflight on the east elevation roof, two dormers on the north elevation roof (one with a Juliette balcony) and one dormer on the south primary elevation roof.

The proposal includes a change in roofing material from concrete tiles to natural slate. External walls are designed to match the existing dwelling with a brickwork plinth at the base and white render above. The primary elevation includes a large glazing element above the entrance, which is recessed by approximately 1 metre, with a roof overhang providing some shade for the glazed screen and forms a covered porch.

7.0 Relevant Planning History

2/2018/0793/HOUSE - Decision: GRA - Decision Date: 31/07/2018
Erect 1 No. single storey side extension and carryout internal alterations

P/HOU/2022/02383 - Decision: REF - Decision Date: 29/11/2022
Erect two storey extension & replace entire roof.

P/PAP/2024/00285 - Decision: RES - Decision Date: 24/06/2024
Remove existing roof and add new first floor extension with steeper roof.

8.0 List of Constraints

Application is within Shaftesbury Conservation Area - Distance: 0

North Dorset District-Wide Local Plan (1994-2011); Saved Policies; Conservation Sub Areas; SB4; NULL - Distance: 0

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

Scheduled Monument: Late Saxon urban area E of Castle Hill (List Entry: 1002376.0); - Distance: 465.92

Scheduled Monument: Medieval fortified house at Castle Hill (List Entry: 1002724.0); - Distance: 366.82

Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0

9.0 Consultations

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

Consultees

1. Shaftesbury Town Council

Shaftesbury Town Council objects for the following reasons:

The objection is based on the pre-submission planning advice taken from the response submitted on 17th July 2024 in relation to application reference PAP/2024/00285. Whilst the proposed plans and elevations do show a line where the pre-app elevations were, that is all the information we have in that respect. The parts of the pre-app response that are felt to corresponded exactly to our thoughts on the proposal are copied below:

Our recommendation (summary): Page 1

I am unable to encourage you to submit a planning application based upon the current proposals which fail to accord with planning policy requirements. Significant amendments would be required to make the development acceptable, namely the following:

- Design - the primary elevation looks unbalanced with too much glazing and does not conform with the character of the area and neighbouring properties.*
- Design – reduce roof height to be informed by the general pattern of heights in the area.*
- Choice of materials – composite cladding is not a typical material found in Shaftesbury*
- Impact on the setting of the conservation area*

Page 4

In terms of design, the proposed development is considered not to be informed by the area it is located in and does not improve the character of quality of the area. The primary elevation appears unbalanced, with too much glazing, which is considered to be inconsistent with the local vernacular and the architecture prevalent in the area. Within the preamble to Policy 24 of the Local Plan (Figure 10.2: Aspects of Development Form) it details the requirements for the scale, height, and massing of a building: ‘The scale, massing and height of a proposal should be related to any adjoining buildings, the general pattern of heights in the area, views, vistas and landmarks.’

Whilst comments have been considered about the applicant having responded to these recommendations by altering the ridge height of the proposed 'extension' and withdrawing the suggestion of cedar type cladding, this doesn't alter the main issue, namely that whilst this has been billed as a 'Remove existing roof and build first floor extension', it is a major and total remodelling of the existing bungalow. The house as it currently stands is rather charming in its setting and no aspect of this will be retained. We consider the proposed alterations to be excessive and architecturally incoherent, leaving the remaining bungalow in this small close dwarfed by its neighbour. We hope this gives a clear material reason for our objection, which was carried unanimously bar an abstention from a councillor who lives nearby.

2. Shaftesbury Town Ward – Cllr Beer

No comments received.

3. Shaftesbury Town Ward 2 – Cllr Jeanes

No comments received.

4. Dorset Council Conservation Officers

Dorset Council Conservation Officer have made the following comments:

Whilst I have no objection to the proposed height and mass of the proposal, the design details, particularly the large, glazed atrium are incongruous in this grouping and to the wider Conservation Area.

Representations received

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

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

Summary of comments of objections:

No comments received.

Summary of comments of support:

No comments 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.

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 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

Development Plan

Adopted North Dorset Local Plan:

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

- Policy 1 - Presumption in Favour of Sustainable Development
- Policy 2 - Core Spatial Strategy
- Policy 3 - Climate Change
- Policy 4 - The Natural Environment
- Policy 5 - The Historic Environment
- Policy 18 - Shaftesbury
- Policy 23 - Parking
- Policy 24 – Design

Policy 25 - Amenity

Made Neighbourhood Plans - Shaftesbury Neighbourhood Plan 2019-2031

Policy SFDH1 - Respecting Local Character

Policy SFDH3 - Scale, Positioning and Orientation of Buildings

Policy SFDH6 - Building Styles and detailing

Policy SFDH7 - Building Materials

Material Considerations

Emerging Local Plans:

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

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

National Planning Policy Framework

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 making: 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 and beautiful 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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'- In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 184). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 205). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 209).

Other material considerations

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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. For this application, there are no known impacts on people with protected characteristics.

14.0 Financial benefits

There are no known financial benefits from this site.

15.0 Environmental Implications

The development would need to comply with current building standards in respect of insulation. There are no other climate change implications as a result of this development.

16.0 Planning Assessment

Principle of Development

Policy 2 of the adopted North Dorset Local Plan sets out that all development proposals should be located in accordance with the spatial strategy for North Dorset, which promotes growth in the 4 main towns. Stalbridge and 18 larger villages. The proposed development site is located within the town of Shaftesbury and is inside of a designated settlement boundary, and therefore complies with Policy 2 of the Local Plan.

Design

The design of the proposed scheme has been revised following Pre Application advice given on 24th June 2024 on application P/PAP/2024/00285. Three key concerns relating to design were raised which were:

- Design - the primary elevation looks unbalanced with too much glazing and does not conform with the character of the area and neighbouring properties.
- Design – reduce roof height to be informed by the general pattern of heights in the area.
- Choice of materials – composite cladding is not a typical material found in Shaftesbury

The submitted scheme has followed pre-application advice given, in which the roof height has been reduced by 0.53 metres to 6.66 metres, changing external materials to remove composite cladding from the proposal and using white render to match the main dwelling. The proposal includes a change in roofing material from concrete tiles

to natural slate, which is a material found within Shaftesbury and is listed as a typical material in the Shaftesbury neighbourhood plan.

Advice was given to reduce the amount of glazing on the primary elevation, as the design had looked unbalanced. However, by reducing the height of the dwelling (and therefore also the glazed aspect in the centre of the primary elevation) and by changing the design of the window on the gable end, the design of the primary elevation is considered to have followed pre application advice and is considered an improvement on the existing bungalow. The recessed glazed aspect of the primary elevation creates an interesting focal point yet does not dominate the appearance of the dwelling. Therefore, it is considered that the proposal is acceptable in terms of design and complies with Policy 24 of the Local Plan.

Impact on the character of the area

As referenced above, the Shaftesbury Neighbourhood Plan outlines that the site is located within Shaftesbury Character Zone 7: Enmore Green. The area is described as having a semi-rural character, with a largely informal settlement pattern of low density detached dwellings and short terraces set back from the street. White Gates is set furthest away from the street among a collection of 3 bungalows with the closest bungalow to the street, The Wykings being significantly altered and aesthetically different. The remaining unaltered bungalows are relatively modern dwellings, with no specific architectural merit. Although the proposed scheme would significantly change the appearance of the dwelling, it is not considered to be harmful, but creates a more interesting design than the existing dwelling. After following pre-application advice and reducing the height and scale of the proposal, it is judged that the proposal would be suitable in the semi-rural setting and would not demonstrably harm the character of the area. Therefore, it is considered that the proposal would comply with Policy 24 of the Local Plan.

Impact on heritage assets

The proposal site is located within the Shaftesbury Conservation Area. Located across Church Hill is the Grade II Listed Building, Church of St John the Evangelist.

The conservation officer has been consulted on this application, and has stated the following:

'Any development in a Conservation Area must enhance and preserve the character of the Area. No 9 Church Street is set back from the main road in a grouping with other more modern properties. Whilst I have no objection to the proposed height and mass of the proposal, the design details, particularly the large, glazed atrium are incongruous in this grouping and to the wider Conservation Area. Therefore, I would suggest the application is withdrawn, and pre application advice is taken.'

The officer has considered comments from the conservation officer relating to the design details, however following a site visit and viewing nearby properties, the planning officer has come to the conclusion that the proposal would not be incongruous to the grouping of bungalows or the wider conservation area. As stated above, by reducing the height and therefore amount of glazing on the primary elevation, the proposal is considered to be an improvement on the existing modern bungalow. The glazing aspect of the primary elevation would be recessed under the eaves by approximately 1 metre, which further limits the visual impact. It is also noted that the property is set back and not visible from the highway.

The planning officer also noticed that neighbouring dwelling Saxon Hall has a large, glazed aspect on the primary elevation and sits more prominently on the highway and in the conservation area. When reviewing the impact of the proposal on the conservation area, the officer has considered how the character of this part of Shaftesbury is described in the Neighbourhood Plan, as semi-rural and a mixture of modern and traditional housing styles. The development proposes to update a modern dwelling with a design which would not detract from the verdant nature of Church Hill, and which is naturally screened from public view by mature vegetation.

Therefore, it is considered that the proposed works would not harm or adversely impact on neighbouring listed buildings or the conservation area and therefore complies with Policy 5 of the Local Plan.

Impact on neighbouring amenity

Due to the nature of the dwelling in relation to neighbouring properties, it is considered that the proposal would not significantly overlook or cause overbearing issues to any neighbouring properties. The west elevation, which would face towards neighbouring property Moonacre, has been sensitively designed with an absence of windows on the first floor. Therefore, it is considered that the proposal would comply with Policy 25 in the Local Plan

Impact on Biodiversity

Policy 4 in the Local Plan states that *'Where there is likely to be an impact on nationally protected or locally rare or scarce species, an assessment of the impact on these species should be submitted to accompany development proposals. This should be appropriate to the scale of development and be informed initially through consultation with the local environmental records centre'*.

A Biodiversity Checklist was completed as part of the application, which outlined there would be a need for a preliminary roost appraisal for protected species such as bats. Within Appendix A of the submitted Design and Access Statement, Lowans Ecology and Associates have certified that there is no evidence of protected species found at the time of the survey (on 12th May 2022). This information is considered to be valid for three years from the date of the survey. Therefore, the officer considers that the proposed works will have no further impact on biodiversity than the existing dwelling.

Flood risk and drainage

A Flood Risk Assessment is submitted in support of the application, within the submitted Design and Access Statement. The property sits in Flood Zone 1, and is not at risk of fluvial flooding. The property does not lie within an area susceptible to ground water flooding but does appear in areas mapped within the Environmental Agency's Risk of Surface Water Flooding zones (1 in 1000). The officer considers that the proposed development will not be at any more risk to flooding than the existing dwelling.

Other material planning considerations

It is noted that the Town Council has raised an objection to the proposed scheme. The Town Council acknowledged that the scheme had responded to recommendations in the pre-application advice but stated that the main issue it had was that the scheme had been incorrectly described and was in fact a major and total remodelling of the existing bungalow. The Town Council also states that it

considers the proposed alterations to be excessive and architecturally incoherent, leaving the remaining bungalow in this small close dwarfed by its neighbour, and that the house as it currently stands is rather charming in its setting and with no aspect of this to be retained.

The officer has recognised that the scheme would considerably alter the appearance of the existing bungalow. However, the first consideration on this matter is that development within a residential curtilage inside of a designated settlement boundary complies with spatial strategy set out in Policy 2 of the Local Plan. The description of the proposed development is considered to be accurate, and the application is judged to be valid. Therefore, the scheme has been incorrectly described.

The officer considers that the proposed alterations are not excessive and not architecturally incoherent. The scheme has followed pre-application advice by reducing the height and scale of the previous design to an acceptable level. The glazing on the primary elevation has been reduced in line with the reduction in height of the dwelling, and the design of the fenestration is considered to be a point of interest. As stated above, the design is considered to be an improvement on the existing bungalow and is not considered to be overbearing or overshadow neighbouring properties.

17.0 Conclusion

This proposal is judged to comply with policies listed above and so complies with the Development Plan as a whole with no material planning considerations indicating permission should be refused.

18.0 Recommendation

GRANT of planning permission 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:

WAC/1363/L01 Location plan

WAC/1363/L02 B Block Plan

WAC/1363/P03 Proposed Floor & Roof Plans & Elevations

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