

Application Number:	P/LBC/2024/02976		
Webpage:	Planning application: P/LBC/2024/02976 - dorsetforyou.com		
Site address:	7 West Borough Wimborne Minster BH21 1LT		
Proposal:	Demolition and re-location of wall across site to provide additional parking spaces for retail use with gated and ramped customer access. Install wall mounted steel railings along northern boundary and gate on West Borough frontage to provide side access.		
Applicant name:	Ovan Properties Ltd		
Case Officer:	Ellie Lee		
Ward Member(s):	Cllr Bartlett and Cllr Morgan		
Publicity expiry date:	23 August 2024	Officer site visit date:	4 June 2024
Decision due date:	7 November 2024	Ext(s) of time:	7 November 2024
No of Site Notices:	3 Site Notices (2 in West Borough and 1 in Redcotts Lane)		
SN displayed reasoning:	To ensure the application is suitably advertised		

- 1.0 This Listed Building application is to be considered at Planning Committee at the request of the Eastern Area Chairman.
- 2.0 **Summary of recommendation:**
GRANT subject to conditions
- 3.0 **Reason for the recommendation:** as set out at paragraphs 16 and 17 at the end of this report.
 - Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is had to the desirability of preserving the building, or its setting or any features of special architectural or historical interest which it possesses.

- Part 16 of the National Planning Policy Framework (NPPF) sets out the Government's policy on preserving and enhancing the historic environment.
- The development does not result in harm to heritage assets including the Grade II Listed Building at 7 West Borough and the Wimborne Minster Conservation Area.
- There are no material considerations which would warrant refusal of this application

4.0 Key issue

Issue	Conclusion
Design, Character and Heritage:	Acceptable as no harmful impacts upon the character and appearance of the Conservation Area or the Listed Building.

5.0 Description of Site

The application site lies within the main urban area of Wimborne Minster and the Wimborne Minster Conservation Area. The building at 7 West Borough is a Grade II Listed Building.

The existing building includes residential flats above the ground floor space, there is a car park to the rear of the site, and there are boundary walls to the rear and sides of the application site.

To the south side of the application site is a restaurant business, and beyond the public right of way adjacent to the north site boundary are further restaurants and bars. Beyond the northern site boundary on the other side of the public right of way (near to Redcotts Lane) is the Royal British Legion.

6.0 Description of Development

This application is a dual application alongside Planning Application ref: P/FUL/2024/02975. The proposals are internal and external alterations to improve the Grade II Listed Building within the Wimborne Minster Conservation Area.

The proposals under consideration include the following:

- Demolition and the re-location of a wall across the site, to provide additional parking spaces for retail use. Changes to parts of the walls in terms of appearance & height.
- Re-arrangement of bin store to separate residential bin store from retail bin store area.
- Gates and ramped customer access to rear (west) of building).
- Removal of existing steps up to the car park from the existing bin store.

- New gate within existing northern boundary wall for access to retail unit.
- Changes to the appearance of the external openings to the building.

The proposals are predominantly external, to facilitate the retail use of the Grade II Listed Building within the Wimborne Minster Conservation Area.

During the course of the application the proposed steel railings along the northern boundary and the tall gate to West Borough has been omitted from the application.

7.0 Relevant Planning History

The officer report for previous application P/FUL/2021/05352 notes that the planning records available indicate that the building was previously occupied by NatWest Bank from approximately 1972. Since that time, there have been a number of relatively minor Listed Building Applications, Advertisement Applications and Planning Applications seeking internal and external alterations, in response to the changing nature of banking over the past 50 or so years.

The applications within the table below include planning history from the past 12 years and include the approvals for the conversion of the upper floors into flats.

Application No.	Description	Decision	Date
P/VOL/2024/04696	Internal alterations and refurbishment to ground floor only of former banking hall and ancillary accommodation. Reinstatement of original entrance door on frontage. Addition of loading access doors and window on rear and side elevation. (Variation of Condition 2 of Listed Building Consent P/LBC/2024/01473 - drawing no. to be re-numbered to reflect revised ground floor plan: 0210B due to relocation of widened opening in corridor wall outside room on NE corner towards frontage).	<i>Under consideration</i>	<i>Under consideration</i>
P/VOC/2024/04630	Internal alterations and refurbishment to Ground Floor only of former banking hall and ancillary accommodation. Reinstatement of original	<i>Under consideration</i>	<i>Under consideration</i>

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	entrance door on frontage. Addition of loading access doors and window on rear and side elevation. (Variation of Condition 2 of Planning Permission P/FUL/2024/01472 - drawing no. to be re-numbered to reflect revised ground floor plan: 0210B due to relocation of widened opening in corridor wall outside room on NE corner towards frontage).		
P/LBC/2024/03890	Fascia signage in form of cut out letters and symbol to front elevation with trough lighting over. Fascia signage in form of cut out letters and symbol to corner entrance with trough lighting over. Graphic signage to windows. Projecting sign to front elevation. Fascia sign to rear door. Marketing sign to rear door. 2 no direction signs to carpark area. Customer Parking signs x 5 no to carpark.	Granted	28/10/2024
P/ADV/2024/03701	Fascia signage in form of cut out letters and symbol to front elevation with trough lighting over. Graphic signage to windows. Projecting sign to front elevation. Fascia sign to rear door. Marketing sign to rear door. 2 no. direction signs to carpark area. Customer Parking signs x 5no. to carpark.	Granted	28/10/2024
P/FUL/2024/02975	Demolition and re-location of wall across site to provide additional parking spaces for retail use with gated and ramped customer access. Install wall mounted steel railings along northern boundary and gate on West Borough frontage to provide side access.	<i>Under consideration by the planning committee</i>	<i>Under consideration</i>

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P/FUL/2024/01472 & P/LBC/2024/01473	Internal alterations and refurbishment to ground floor only of former banking hall and ancillary accommodation. Reinstatement of original entrance door on frontage. Addition of loading access doors and window on rear and side elevation.	Granted	17/05/2024
P/PAP/2023/00759	Proposed internal alterations and opening up to facilitate new commercial use	Written Response	18/01/2024
P/PAP/2023/00594	Proposed internal alterations and opening up to facilitate new flexible commercial use	Written Response	10/10/2023
P/FUL/2021/05352 & P/LBC/2021/05353	Removal of internal and external banking related fittings, including 1no. ATM and 1no. nightsafe. Apertures to be infilled to match existing elevation.	Granted	11/05/2022
3/21/0841/LBC	Repair to spalled render to cornice below roof parapet wall to north elevation with the removal of any further loose material. The repair material will be shaped to match the existing cornice profile, with works being undertaken by a competent mason.	Granted	27/09/2021
3/18/1643/LBC	Installation of fibre and copper cabling to provide connections to new BT circuits and Cisco wireless access points.	Granted	14/08/2018
3/15/0685/ADV & 3/15/0686/LBC	Installation of replacement shopfront signage to front and rear elevations- post removal of signage currently in situ	Granted	04/09/2015
3/14/1179/LBC	Internal alterations including new flooring and repair of windows and door frames, some small external repairs.	Granted	24/03/2015
3/14/0288/LBC & 3/14/0295/FUL	Proposed 2 bed self contained flat at first floor level.	Granted	10/07/2014

3/13/0679/FUL & 3/13/0680/LBC	Convert First and second floor to form 2 flats with enlarged dormer windows at the front and new rooflights in rear, front and side elevations as amended by drwgs 4060/11A,12A, 13A and 14A received on 11.10.2013	Granted	05/12/2013
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8.0 List of Constraints

- Grade II Listed Building – National Westminster Bank HE Reference: 1323800
- Wimborne Minster Conservation Area

9.0 Consultations

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

Consultees

1. **Dorset Council - Conservation Officer**-Support, subject to conditions

Initial consultation response 20/06/2024

Due regard and consideration given to statutory and local and national policy considerations and on balance the proposed scheme will not harm special character of the LB and its setting character and appearance of the conservation area and can be supported, subject to conditions.

Recommended conditions:

- External materials – samples of new brickwork & mortar on site.
- Pre-commencement – Details showing capping of new boundary walls and junctions between existing and new sections of boundary walls to be submitted.
- Pre-commencement – Details of any additional security devices, signage and lighting proposed for new gates.
- Prior to installation of railings and gates, detailed elevation drawings to be submitted.
- Existing stone gate pier and pyramidal capping to remain in situ and any repairs to be agreed in writing.

Re-consultation response 02/09/2024:

Proposed plans do not show the retention of the historic stone pier at the front of the site. A condition will be required to ensure the preservation and retention of this pier in situ.

Revised plans omitted railings from the wall and that brick capping is proposed for the wall. No details of the new mortar mix submitted so a condition to agree a sample of the new mortar on site.

The condition regarding new security devices, signage and lighting should remain if any is proposed. Details of the design and finish of new gates has not been submitted and can be conditioned.

Due regard and consideration given to statutory and local and national policy considerations and on balance the revised scheme will not harm special character of the LB and character and appearance of the conservation area and can be supported, subject to conditions.

Recommended conditions:

- Similar to conditions previously recommended, but amended.

3 Dorset Council - Highways Officer- No objection subject to conditions 03/07/2024:

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, subject to the following condition(s):

- Turning/manoeuvring and parking construction

4 Dorset Council – Rights of Way Officer- No comments.

5. Wimborne Minster Town Council- Object

20/06/2024:

Objection - Wimborne Minster Town Council has concerns around the preservation of the historic fabric of the towns building infrastructure and the increased generation of traffic in Redcotts Lane if approved.

Re-consultation response 20/08/2024:

Object - Wimborne Minster Town Council are still concerned about the extra traffic and disruption to residents on Redcotts Road, which is one way. This objection aligns with NPPF conditions around access and disruption to residents through increased traffic.

7. Wimborne Minster Ward Member – Cllr Bartlett

No comments received

8. Wimborne Minster Ward Member – Cllr Morgan

No comments received

Representations received

Total - Objections	Total - No Objections	Total - Comments
1	0	0

Summary of objection:

Neighbouring Amenity:

- Negative impact upon amenity of residential occupants of the flats above the unit at 7 West Borough, in terms of living conditions.
- Existing alleyway is narrow.
- Concerns over the reduction in size of the bin store for the residential flats (above the premises from a 2013 permission), which may result in accessibility and hygiene issues.
- Reduction in space for cycle storage for residential occupants above premises (from a 2013 permission), so no longer able to store bicycles safely.
- New steps will cause an obstruction to residents.
- Request that the gate access is shared between residential and retail units.

Delivery Access to Ground Floor Unit:

- The new fold and swing gate opening in the boundary way (proposed to serve as goods access to the new retail unit) will cause obstruction to residents moving their bins in the alley.

Fire Risks:

- Concerns that residential occupants will no longer have pedestrian access to the car park to the rear of 7 West Borough, which is a fire exit route.

10.0 Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990 - Section 16 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 when considering whether to grant listed building consent.

11.0 Relevant Policies

Development Plan

Adopted Christchurch and East Dorset Local Plan:

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

KS1 - Presumption in favour of sustainable development

HE1- Valuing and Conserving our Historic Environment

HE2 - Design of new development

Saved policies of the East Dorset Local Plan 2002:

DES2- impacts from development

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 draft 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.

Emerging Neighbourhood Plans

Wimborne Minster Neighbourhood Plan- In preparation – limited weight applied to decision making

National Planning Policy Framework (NPPF)

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 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 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).

National Planning Policy Guidance (NPPG)

Other material considerations

- Dorset Heathlands Planning Framework 2020-2025 SPD
- 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.
- SPG15 Wimborne Minster Conservation Area
- 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.

No disadvantage to persons with protected characteristics has been identified for this proposal.

14.0 Financial benefits

None

15.0 Planning Assessment

The following main considerations are considered in this report:

- Design, Character and Heritage

Background:

15.1 This application is a dual application alongside Planning Application ref: P/FUL/2024/02975. The proposals are internal and external alterations to improve the Grade II Listed Building within the Wimborne Minster Conservation Area.

15.2 The proposals under consideration include the following:

- Demolition and the re-location of a wall across the site, to provide additional parking spaces for retail use. Changes to parts of the walls in terms of appearance & height.

- Re-arrangement of bin store to separate residential bin store from retail bin store area.
- Gates and ramped customer access to rear (west) of building).
- Removal of existing steps up to the car park from the existing bin store.
- New gate within existing northern boundary wall for access to retail unit.
- Changes to the appearance of the external openings to the building.

15.3 The proposals are predominantly external, to facilitate the retail use of the Grade II Listed Building within the Wimborne Minster Conservation Area.

15.4 During the course of the application the proposed steel railings along the northern boundary and the tall gate to West Borough has been omitted from the application, and the Conservation Officer was reconsulted.

Design, Character and Heritage:

15.5 Wimborne Minster Town Council has raised an objection, with concerns around the preservation of the historic fabric of the town's building infrastructure. Policy HE1 requires that the significance of all heritage assets and their settings (both designated and non-designated) will be protected and enhanced especially elements of the historic environment which contribute to the identity of East Dorset.

15.6 The proposed works will separate the car park at the rear of the site from the retail unit and the residential properties. The alterations and additions to the boundary treatment, include changes the boundary walls including the northern site boundary where a new gate is introduced.

15.7 The existing walls either side of the car park have a damp-proof course and appear to be of modern construction (cement mortar and capping in-situ). The boundary walls follow the historic boundary lines to the rear of the property and may feature re-used brickwork.

15.8 The proposed new wall and access ramp at the rear of the site will involve the re-positioning of the existing modern wall which can be achieved without harm to the setting of the heritage asset. As details of gates have been omitted within the amended drawings, it is considered necessary for details of any new gates to be installed on site to be secured by condition so that potential harm to the setting of the listed building and Conservation Area is avoided.

15.9 There is a stone pier in-situ at the front of the site behind the lamppost, which matches the facade of the building, and appears to denote the former boundary of the site and boundary treatment and materials. This has historic value and needs to be retained.

15.10 The following matters (in bullet points) are proposed to be conditioned under this application:

- As there is an opportunity to ensure new brickwork is a closer match to existing red brickwork on site, and that wall stops do not damage existing brick boundary walls on site, it is considered necessary for details to be secured via condition.
- Whilst it is acknowledged that during the application an additional drawing (6179-WLA-LV-XX-DR-A-0761) was provided for consideration, further details are necessary to be secured via condition, so that there is no harm to the appearance of the boundary wall in relation to its surroundings.
- In addition, it is judged that the pier should remain in situ which can be conditioned, and that details of capping for the new section of wall along with details of junctions between old and new are appropriate to be conditioned.
- A further condition is also considered necessary to for details to be submitted to the Local Planning Authority (and agreed) for any additional security devices, security signage and security lighting.

15.11 Dorset Council’s Conservation Officer has no objections, and it is judged that there is no harm to heritage assets, subject to conditions.

15.12 In summary of the above, the proposal will result in the following impacts on the significance of affected heritage assets, including any contribution made by their setting:

Heritage asset	Grade	No harm	Less than Substantial harm	Substantial harm
7 West Borough	Grade II Listed Building	<u>No Harm</u>		

15.13 Therefore as there is no harm has been identified to the relevant heritage assets as a result of the proposed works, subject to conditions (including conditions imposed on the associated planning application) to secure further details, the proposal accords with local policy HE1, local policy HE2 in terms of design and character, and also policies within sections 12 & 16 of the NPPF.

16.0 Conclusion

Subject to conditions, the proposed works will benefit the use and functionality of the existing building at 7 West Borough and will not result in adverse impacts upon character of the area and the street scene or to heritage assets including the Grade II Listed Building and the Wimborne Minster Conservation Area.

17.0 Recommendation

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 works hereby permitted shall be carried out in accordance with the following approved plans:

6179-WLA-LV-XX-DR-A-0012 Location and Block Plan

6179-WLA-LV-XX-DR-A-0035 B - Proposed Site Plan

6179-WLA-LV-XX-DR-A-0750 A Proposed Elevations and Section

6179-WLA-LV-XX-DR-A-0761 Detail of Relocated Car Park Wall

Reason: To preserve the architectural and historical qualities of the building.

3. Prior to development above damp-proof course level, details (including colour photographs) of all external facing materials for the walls and roofs shall have been submitted to and approved in writing by the Local Planning Authority. Details to be submitted for consideration shall include samples of new mortar. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

4. Prior to the installation of any security devices, security signage or security lighting to the building or to boundaries, details of any new security devices, security signage and security lighting proposed to be fixed to the listed building shall be submitted and agreed in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the details as approved.

Reason: In the absence of information submitted and to ensure a satisfactory visual appearance of the development.

5. The existing stone gate pier and pyramidal capping shall remain in situ on site and details of any repairs submitted and agreed in writing in advance with the local planning authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: To safeguard historic fabric of interest and ensure a satisfactory visual appearance of the development.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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

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

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

In this case:

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

2. 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.
3. 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.
4. The applicant is advised that the proposed works are in the vicinity of public right of way E2/80, as recorded on the County Definitive Map and Statement of rights of way.

Throughout the duration of the development the full width of the public footpath must remain open and available to the public, with no materials or vehicles stored on the route.

Any damage to the surface of the path attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980.

The free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on the above path, then a Temporary Path Closure Order must be obtained. This can be applied for through this office, but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.

5. This permission should be read in conjunction with the associated planning application P/FUL/2024/02975 and its conditions.