

Application Number:	P/HOU/2025/01603
Webpage:	Planning application: P/HOU/2025/01603 - dorsetforyou.com
Site address:	46 West Street, Wareham, BH20 4JZ.
Proposal:	Erect single garage as extension to existing outbuilding over car parking space.
Applicant name:	Mr Jim Bennett.
Case Officer:	Simon Burditt.
Ward Member(s):	Cllr Ezzard and Cllr Holloway.

1. Reason application is going to committee:

In the interest of transparency as the applicant is a member of staff within the planning department.

2. Summary of recommendation:

To GRANT planning permission subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable – the application site is within the settlement of Wareham
Scale, design, impact on character and appearance	Acceptable – the proposed extension to the outbuilding is of a size, scale and design that is compatible with the character of the area.
Impact on the heritage assets	Acceptable - no harm to the setting of the Grade II Listed Building is identified and the proposal would preserve the character and appearance of the Wareham Conservation Area.
Impact on the living conditions of the occupants and neighbouring properties	Acceptable – no harmful loss of daylight or privacy would arise.
Highway impacts, safety, access and parking	Acceptable - there would be no reduction in the amount of off-road parking nor harm to highway safety.
Flood risk and drainage	Acceptable - the proposed extension to the outbuilding is unlikely to increase the risk of flooding elsewhere.
Biodiversity	Acceptable - there would be no impact upon biodiversity, including bats.

4. Description of site

- 4.1 The application site is located on the north side of East Street in Wareham, one of the main roads through Wareham. The outbuilding that is proposed to be extended is to the rear of the dwellinghouse.
- 4.2 Number 46 West Street is a Grade II Listed Building and a dwellinghouse within a terrace of residential properties within the Wareham Conservation Area.
- 4.3 The dwelling fronts West Street and the garden to the rear is rectangular in shape. At the northern end of the rear garden there is an outbuilding and an area of hard surfacing used for parking.
- 4.4 Land levels fall slightly on site from west to east. The parking area at number 46 is modestly higher than New Street which serves a courtyard area located between properties in West Street, West Walls and New Street in which there is garaging and parking.
- 4.5 The area is characterised by relatively high density two storey terrace housing. Housing on West Street includes listed building with attractive architectural features while New Street Housing is simpler. Properties benefit from outbuildings of various sizes and forms.
- 4.6 The existing outbuilding at number 46 West Street is a modest, single storey structure, which extends across the majority of the width of the plot but is of limited depth. It has a mono-pitched roof which leans towards the host dwelling.

5. Description of development

- 5.1 Planning permission is sought to construct a single garage as an extension to the existing outbuilding over the parking space. The garage extension will be narrower than the existing building and will have a mono-pitch roof sloping down to the east with a flat roof link element. It is proposed to remove some of the existing rear wall of the shed so that the internal parking area that is formed will be large enough for a car.
- 5.2 Shiplap boarding and a standing seam roof will match the existing outbuilding materials.

6. Background and relevant planning history

6/2012/0238 - Decision: Granted (planning permission) -Decision date: 06/08/2012.

Alterations to convert conservatory to kitchen, lower flat roof to create terrace, demolish existing and erect new garden shed.

6/2012/0239 - Decision: Granted (listed building consent) -Decision date: 06/08/2012.

Alterations to convert conservatory to kitchen, lower flat roof to create terrace, demolish existing and erect new garden shed. Replace door with window and remodel internal layout.

7. List of relevant constraints

The application site is within the Wareham settlement boundary.

The application site is within the Wareham Conservation Area.

Number 46 West Street (The Pure Drop Public House) is a Grade II Listed Building, Historic England reference: 1119950.

Number 48 West Street is a Grade II Listed Building, Historic England reference: 1153825.

8. Consultations

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

Consultees

1. Dorset Council – Highways

The proposal does not present a material harm to the transport network or to highway safety and consequently has no objection.

2. Dorset Council - Conservation Officers

No objection from a heritage perspective.

3. Wareham Town Council.

No objection.

4. Ward Members

No comments received

Representations received

The application was advertised by site notices. No comments were received.

9. Duties

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.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is 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.

10. Relevant policies

The development plan comprises:

Adopted Purbeck Local Plan:

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

V1: Spatial strategy for sustainable communities

E2: Historic environment

E7: Conservation of protected sites

E10: Biodiversity and geodiversity

E12: Design

E4: Assessing flood risk

I2: Improving accessibility and transport

Made Wareham Town Neighbourhood Plan 2019-2034 (made November 2021)

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

LDP1- Design of New Development within Wareham Conservation Area

LDP3- Sustainable Design

Material considerations

Emerging local plans:

Paragraph 49 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 plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and / or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Paragraph 39 - 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 11 'Making effective use of land'.
- Section 12 'Achieving well designed places'. This 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 16 'Conserving and Enhancing the Historic Environment' - Paragraph 212 confirms that 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. The effect of an application on the significance of non-designated heritage assets should also be taken into account (paragraph 216).

Other material considerations

National Planning Practice Guidance

Including: Determining a planning application.

Supplementary Planning Documents/Guidance

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.

Purbeck District Design Guide Supplementary Planning Document.

Managing and using traditional building details in Purbeck

Wareham Conservation Area Appraisal

11. 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.

12. 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.

During the construction period those neighbours with reduced mobility who are less able to leave their property may be more affected by noise or disturbance but no other harm to any persons with protected characteristics is anticipated to arise from the proposed development.

13. Planning Assessment

Principle of development

- 13.1 The application site is located within the settlement of Wareham where extensions to existing buildings are acceptable in principle subject to compliance with all other planning policies.

Scale, design, impact on character and appearance

- 13.2 Policy E12 requires that development should demonstrate a high quality of design that, amongst other things, positively integrates with their surroundings and Neighbourhood Plan Policy LDP1 listed some specific design criteria but the main one relevant this outbuilding proposal is that parking should be positioned to avoid dominating the street scene which will be achieved.
- 13.3 The outbuilding that is proposed to be extended is located to the rear of the property, to the west of the shared rear access courtyard. Due to its position the current outbuilding cannot be seen from West Street and has limited visual presence when viewed from New Street.
- 13.4 The size and scale of the proposed extension to the outbuilding are comparatively limited. The low-pitched design and use of shiplap boarding and zinc standing seam departs from the reference to red/brown brick and plain clay tiles that policy LDP1 identifies as appropriate for buildings in the Wareham Conservation Area, but for an outbuilding in this back garden position, a departure from the policy is considered appropriate. The mono-pitch of the roof would maintain a lower eaves height to the east and a larger pitched and tiled roof of the garage beyond will continue to be the dominant built form.
- 13.5 Although the building materials depart from policy LDP1 criteria, the overall impact of the proposed outbuilding extension is judged to appropriately respond and integrate with the site's context in accordance with Policy E12 'Design' of the Local Plan.

Impact on the heritage assets

- 13.6 Number 46 West Street is a Grade II Listed Building that is in proximity to other listed buildings and located within the Wareham Conservation Area.
- 13.7 Dorset Council's Conservation Officer was consulted on this proposal. Given the position of the proposed garage and the surrounding context of other garages and surface parking, plus the fact that the maximum height is no higher than the existing outbuilding, there would be no harm arising to the significance of the either number 46 West Street or number 48 West Street, the setting of these buildings or the character and appearance of the Wareham Conservation Area. The proposals would preserve the character and appearance of the Wareham Conservation Area in accordance with the requirements of Policy E2 'Historic Environment' of the Local Plan.

Impact on the living conditions of the occupants and neighbouring properties

- 13.8 The proposed extension to the outbuilding would be constructed at the end of the garden of the application site, therefore some distance from the adjoining dwellinghouses and others

nearby. No harm to amenity is anticipated due to low height and lack of windows, doors or openings within the side elevations so the proposal is in accordance with the requirements of Policy E12 'Design' of the Local Plan.

Highway impacts, safety, access and parking

- 13.9 No objection was raised by Dorset Council Highways Department to the position of the new garage; no harm to highway safety is anticipated. The garage extension will provide internal space of over 3m wide and over 6m deep in accordance with Dorset Council parking guidance so there would be no reduction in the amount of off road parking available in accordance with the aims of neighbourhood plan policy H10. The proposal is in accordance with the requirements of Policy I2 'Improving accessibility and transport' of the Local Plan.

Flood risk and drainage

- 13.10 Number 46 West Street is at low risk of surface water flooding and the area upon which the proposed extension to the outbuilding would be constructed is already an area of concrete hard surfacing. Given the size of the proposed extension to the outbuilding it is considered that the proposal is acceptable and is unlikely to increase flood risk elsewhere. The proposal is in accordance with the requirements of Policy E4 'Assessing flood risk' of the Local Plan.

Biodiversity

- 13.11 There is no evidence of bats using the existing outbuilding and the works to this are limited to the removal of a small section of the external wall. On this basis there are no concerns in relation to biodiversity and bats from the proposals.
- 13.12 The proposal is in accordance with Policy E10 'Biodiversity and geodiversity' of the Local Plan.

Environmental implications

- 13.13 Policy LDP3 seeks sustainable design. The design of the garage will not positively contribute to tackling climate change, but no harm is identified either. There are no specific environmental implications from the proposal.

14. Summary of issues and the planning balance

Whilst the proposal will use materials other than those supported by the Neighbourhood Plan for development in the Conservation Area, the use of shiplap cladding and zinc standing seam roofing will facilitate the provision of a modest extension to an existing outbuilding in a rear garden location. It is judged that the benefits of securing a low roof with limited visual impact outweigh the harm arising from partial conflict with policy LDP3. The development accords with the Development Plan in all other respects and there are no material considerations indicating that permission should be refused. Approval is recommended.

15. 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 development hereby permitted shall be carried out in accordance with the following approved plans:
drawing number 3 OPD (location plan and proposed block plan),
drawing number 2 OPD (proposed elevations) and
drawing number 4 OPD (proposed floor plan and roof plan)
submitted as part of the application.

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

3. The materials to be employed on the external faces of the extension to the outbuilding hereby permitted shall be as detailed on drawing number 2 OPD (proposed elevations) submitted as part of the application. The wood cladding shall be maintained in a natural shade.

Reason: To ensure the satisfactory visual relationship of the new development with the existing outbuilding, the property and the character of the Wareham Conservation Area.

Informative notes.

1. Informative note - Matching plans.

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

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 applications/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.

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