

Officer Report

Delegated Officer Report

Application Number:	P/FUL/2021/02056
Proposal:	Change of use from a former scout hut to 1 No. dwelling. Create new vehicular and pedestrian access and 2 No. additional parking spaces.
Location:	Scout Association Lubbecke Way Dorchester DT1 1QL
Recommendation:	Grant permission subject to conditions
Case Officer:	Simon Sharp
Ward Member(s):	Cllr Jones and Cllr Rennie

Fee Paid:	£462.00	CIL Liable:	Yes
Publicity expiry date:	11 October 2021	Officer site visit date:	6 th October 2021
Decision due date:	24 December 2021	Ext(s) of time:	24 December 2021
Where Scheme of Delegation consultation required under constitution:			
SoD Constitutional trigger:			
Nominated officer agreement to delegated decision	Date agreed:		

Relevant Planning History

None relevant

Constraints

PLN - 1/E/89/000052 - 9 Little Britain, DORCHESTER - Distance: 0

PLN - 1/E/81/001149 - LITTLE BRITAIN, DORCHESTER - Distance: 0

PLN - 1/E/80/000160 - LAND AT THE REAR OF LITTLE BRITAIN, DORCHESTER - Distance: 0

PLN - NULL - NULL - Distance: 0

PLN - 1/E/81/000211 - LAND AT THE REAR OF LITTLE BRITAIN, DORCHESTER - Distance: 0

PLN - P/FUL/2021/02056 - Scout Association

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Lubbecke Way

Dorchester

DT1 1QL - Distance: 0

PLN - 1/E/01/001913 - The Scout Hut, Lubbecke Way, DORCHESTER - Distance: 0

CON - DORC, Dorchester Conservation Area - Distance: 86.6

LP - SUS2; Defined Development Boundary; Dorchester - Distance: 0

LP - ENV 2; Poole Harbour Nutrient Catchment Area; Poole Harbour - Distance: 0

LP - Landscape Chara; Valley Pasture; Frome and Piddle Valley Pasture - Distance: 0

LP - Landscape Chara; Urban Area; Dorchester - Distance: 0

LP - Boundary; West Dorset District Boundary; West Dorset - Distance: 0

LP - Landscape Chara; Valley Pasture; Frome and Piddle Valley Pastur - Distance: 0

LP - Landscape Chara; urban area; Dorchester - Distance: 0

LP - Landscape Chara; Urban area; Dorchester - Distance: 0

LP - NULL; NULL; NULL - Distance: 0

DESI - PDC Poole Dissolve Area - Distance: 0

DESI - NE - SSSI impact risk zone; - Distance: 0

DESI - NE - SSSI (400m buffer): River Frome; - Distance: 54.01

DESI - NE - SSSI: River Frome ; - Distance: 2705.72

FLD - Flood Zone 3 - Distance: 44.71

FLD - Flood Zone 2 - Distance: 15.26

EA - EA - Poole Harbour Catchment Area - Distance: 0

EA - EA - Groundwater Source Protection Zone - Distance: 12.16

Development Plan policies

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.

Adopted West Dorset and Weymouth & Portland Local Plan:

The site is within the development limits for Dorchester. The building is considered to be a non-designated heritage asset.

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

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 - Wildlife and habitats

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- ENV4 Heritage assets
- ENV5 - Flood risk
- ENV10 - The landscape and townscape setting
- ENV12 - The design and positioning of buildings
- ENV16 - Amenity
- SUS2 - Distribution of development
- COM3 – The retention of local community buildings and structures
- COM9- Parking provision

Other Material Considerations

National Planning Policy Framework

- Section 11 ‘Making effective use of land’
- Section 12 ‘Achieving well designed 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 126 – 136 advise that:

National Planning Practice Guidance

Consultation Responses

Consultation Responses	No Objection	Object	Brief Summary of Comments
Town or Parish Council	Ü		“No objection”
Ward Member(s)	Ü		Cllr Rennie – “welcome use of a redundant building for housing”
DC Highways	Ü		No objection subject to conditions.

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DC Natural Environment Team	Ü		Approved BP. Implementation to be secured by condition.
DC Building Control	Ü		"No adverse comments"
Third Parties			No comments received

Officer Assessment

	Yes	No	N/A
1. Does the proposal represent development that requires planning permission?	Ü		
2. Has screening under the Environmental Impact Assessment regulations concluded that no assessment is required?			Ü Not Sched 1 or 2.
3. Does the area benefit from a 5 year housing land supply and has the housing delivery test been passed?		Ü	
4. Is the principle of development acceptable?	<p>Ü A highly sustainable location within the main urban area of Dorchester within an acceptable walking or cycling distance to the town centre, employment, education and medical facilities. The proposal accords with policy SUS2 as a result.</p> <p>The tilted balance is not determinative but it is clear that the benefits of the proposal (bringing what is considered to be a non-designated heritage asset back into use and providing a single home) are not outweighed by significant or demonstrable adverse impacts.</p>		

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	No harm to the significance of the non-designated heritage asset.		
5. Would the proposal be compatible with or enhance the character and qualities of the area in which it is proposed?	Ü A commendable preservation of the existing building, the previous use of which will remain legible. The extension is subservient and simple in form. It is complementary to its setting within a rather eclectic mixed use area, the majority of uses being residential and two storey. The proposal echoes these characteristics.		
6. Would the proposal be compatible with or enhance the built form, height, mass and scale of development in the area?	Ü See above.		
7. Would the proposal be compatible with or enhance the appearance of the street and area?	Ü The design is commendable and will enhance the streetscene by bringing back into use a redundant building and also possesses a high degree of architectural flair. It is considered necessary and reasonable that this flair is and the legibility of the building's former use (and its architectural and historical qualities) are not diluted by post-occupation alterations and additions. A condition removing Class A, AA and B of Sched 2, Part 1 of the GPDO permitted rights, is considered necessary and reasonable. The 3D visuals show a dark colour for the standing seam panelling for the extension's walls and roof. It is considered necessary and reasonable that a RAL colour is agreed given the proposal involves the extension of a non-designated heritage asset, and this can be secured by condition.		
8. Would the materials, details and features complement the existing built form/be consistent with the general use of materials in the area?	Ü		

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<p>9. Would the scale of development be acceptable and avoid overdevelopment of the site?</p>	<p>Ü Subservient extension.</p>		
<p>10. Would the proposal ensure the retention of trees at the site and adjacent to the site?</p>	<p>Ü None affected.</p>		
<p>11. Has the proposal been designed to prevent overlooking or loss of privacy that would be demonstrably harmful to any of the neighbouring properties and their gardens?</p>	<p>Ü The nearest dwellings are those to the southwest. These are 2 storey with ground and first floor windows serving habitable rooms facing the site. The proposal includes windows at ground floor serving habitable rooms facing these existing homes. The separation distance is 11m. There are no first floor openings within the proposal on this side. The distance is less than would normally be acceptable but weighing heavily in the overall balance are the following points: -</p> <p>The proposal involves the welcome conversion of an existing building. Greater separation distances cannot be achieved.</p> <p>Leaving the building vacant is not desirable in the middle of this residential area.</p> <p>There is a new build element but this replaces an existing structure.</p> <p>The extant use as a community building could result in as much overlooking and even more amenity issues e.g. noise and disturbance.</p> <p>Additions to the building including, for example sun rooms or dormers could erode the level of residential amenity to unacceptable levels. A condition removing Class A, AA and B of Sched 2, Part 1 of the GPDO permitted rights, is considered necessary and reasonable.</p>		
<p>12. Has the proposal been designed to respect all other amenities of neighbouring properties? <i>(inc. overbearing impact, loss of</i></p>	<p>Ü Mass of the proposed extension is very similar to existing.</p>		

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<p><i>outlook, unreasonable loss of light, noise, disturbance or other pollution)</i></p>	<p>As above, the proposed use is likely to reduce the residential amenity impact in terms of noise and disturbance.</p>		
<p>13. Has the proposal been designed to provide appropriate levels of amenity for future occupants?</p>	<p>Ü There will be overlooking from existing homes that surround the building and its garden. This is unavoidable to realise this conversion and there is a degree of conflict with policy ENV16 as a result.</p> <p>However, future occupiers will know this before moving in and the weight afforded to this issue is therefore tempered as a result.</p> <p>There is an appropriate level of outdoor space (450 m²). However, it is necessary and reasonable to restrict the erection of incidental outbuildings as this could decrease the outdoor space to an unacceptable level e.g. if 50% of the space was filled by buildings. A condition is considered necessary to remove Sched 2, Part 1, Class E of the GPDO permitted development rights.</p>		
<p>14. Would any proposed change of use be compatible with existing uses in the area and avoid loss of community facilities/protected employment/protected retail/Assets of Community Value/open space/sports facilities/education?</p>	<p>Ü An independent review of the building was undertaken in 2019 to review the financial feasibility of repairing it to permit continued use by the Scouts. The estimated costs were £100k. This was likely to result in many years of fundraising whilst the hall continued to deteriorate. There is a letter on file from the Scouts saying that the proceeds of the sale of the site with pp would be recycled to assist their objective of providing a new facility within the town.</p> <p>Given the condition of the building, its relatively small size, constrained site and juxtaposition with surrounding dwellings, it is highly unlikely that another community group would use the building. Furthermore, other community buildings are available in locality.</p>		

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<p>15. Has the proposal been designed to safeguard any significant wildlife habitats and protected species, or is appropriate mitigation secured where harm has been demonstrated to be unavoidable?</p>	<p>Ü A Biodiversity Plan has been agreed by NET. This responds to the low probability of bats being present in the building (further surveys required but the BP permits the determination of the application).</p> <p>The site is within the Poole Harbour Catchment. Mitigation is required as identified by the Appropriate Assessment under the Habitat Regulations. It is understood that CIL will cover the contributions required for the commensurate level of mitigation.</p>		
<p>16. Is the proposal (alone or in combination) unlikely to result in a significant effect on any internationally protected sites?</p>	<p>Ü See above.</p>		
<p>17.b) If no, has an appropriate assessment concluded that the development impacts can be fully mitigated?</p>			
<p>17. Does the siting and character of the development avoid both the risk of flooding from any source and increased flood risk elsewhere in accordance with chapter 14 of the NPPF?</p>	<p>Ü The site is within flood zone 1. It is not within an area of known surface water flooding problems.</p> <p>Surface water drainage is proposed via the main sewer. This is the least desirable method of draining such water as identified in the national surface water drainage hierarchy. However, it is the existing system that is being utilised with and there is no increase in coverage of the site by buildings or other impermeable surfaces.</p>		
<p>18. Does the proposal avoid adverse impact upon highway safety?</p>	<p>Ü Subject to conditions.</p>		
<p>19. If the building lies within the Area of Outstanding Natural Beauty, does the proposal conserve and enhance the landscape and scenic beauty of the AONB?</p>			<p>Ü</p>

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20. Has the proposal been designed so that it would not adversely affect the setting of any listed buildings, Conservation Areas or areas of special landscape designation (Heritage Coast / Area of Outstanding Natural Beauty)?			Ü
21. If the site is listed or is a non-listed heritage asset, would the proposal preserve the special architectural or historic interest of the building and its setting?	ÜSee 5 and 7.		
22. If sited within a Conservation Area, would the proposal preserve or enhance the character and appearance of the Conservation Area?			Ü
23. If sited in proximity of a Scheduled Ancient Monument or area of archaeological interest is the development acceptable or can it be made acceptable by condition?			Ü

Balance and conclusions

The development is accordant with the development plan as a whole. The small degree of discordance includes the residential amenity impact but, overall, these are not considered to be determinative in the balancing exercise. Conditions are deemed necessary as explained in this report.

	Yes	No
Having regard to your answers to all the preceding questions, is the application considered to be acceptable?	Ü	

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Recommendation: Grant permission subject to 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:

21/007/01 Rev C
21/007/02 Rev A

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

3. The development hereby approved must not be first brought into use unless and until a report or photographs providing evidence of compliance with the Biodiversity Plan certified by Dorset Natural Environment Team on 14th December 2021, has been submitted to and approved in writing by the Local Planning Authority. Compliance with the said Biodiversity Plan includes, pre-commencement, a dawn re-entry survey and two dusk emergence surveys for bats carried out under suitable weather conditions between May and the end of August with at least three weeks between each survey. Four experienced surveyors will be required to sufficiently cover the building.

Reason: To secure mitigation, compensation and enhancement/net gain for impacts on biodiversity

4. Before the development is occupied or utilised the first 5.0 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

5. Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

6. Prior to development of the extension above damp proof course level, details of the colour of the standing seam panelling for the walls and roof, expressed as a RAL reference, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) of the dwellinghouse hereby approved, permitted by Classes A, AA and B of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no garages, sheds or other outbuildings permitted by Class E of Schedule 2 Part 1 of the 2015 Order shall be erected or constructed.

Reason: To protect amenity and the character of the area.

Informatives

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 vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact

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Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

Case Officer Signature:	Simon Sharp	Authorising Officer Signature:	H Smith
Date:	21/12/2021	Date:	21/12/2021