



Appeal Decision

Site visit made on 25 March 2022

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2022

Appeal Ref: APP/D1265/W/21/3287475

4 Maumbury Road, Dorchester DT1 1QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr E Mahmutaj (Limon Homes Ltd) against the decision of Dorset Council.
 - The application Ref P/OUT/2021/00467, dated 15 February 2021, was refused by notice dated 27 September 2021.
 - The development proposed is described as "change of use and extension to existing Light industrial buildings E(g) together with additional second floor and rear infill extensions to create 9 serviced accommodation together with 1 ground floor Office E(c)".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline. The application form indicates that approval is only sought for access, appearance and layout. Landscaping and scale are reserved for subsequent determination, and the drawings showing these aspects of the development have therefore been treated solely for illustrative purposes.
3. The main parties have referred to the preparation of a new Local Plan for Dorset. The emerging Local Plan (eLP) has however not been through examination and has yet to be found sound. Very limited weight can therefore be afforded to the eLP at this stage.
4. The appellant submitted amended plans during the course of the planning application, which were not accepted by the Council. My findings therefore relate to the scheme as determined by the Council.

Main Issues

5. The main issues are:
 - The effect of the proposal on the provision of employment land and premises in the area; and
 - The effect of the proposal on the character and appearance of the appeal building and surrounding area, having particular regard to the Dorchester Conservation Area.

Reasons

Employment use

6. The appeal site comprises industrial premises, which have remained vacant for approximately 18 months and were last occupied by a builders merchant. The premises lie within the Great Western Industrial Estate, which is identified as a key employment site. The use of such sites for employment purposes other than B1, B2 and B8 (which now fall under Classes E, B2 and B8) is considered appropriate by Policy ECON2 ii) of the West Dorset, Weymouth and Portland Local Plan 2015 (LP), if it can be proven that the use provides on-site support facilities or demonstrates an economic enhancement over and above B1/B2/B8 uses.
7. The appeal premises would be to a large extent provide serviced accommodation falling within Class C1. The Supplementary Planning Statement prepared by Savills suggests that the serviced accommodation would generate three full-time equivalent (FTE) employees. This is based on the figures for midscale hotels, which are included within the Homes & Communities Agency Employment Density Guide (3rd Edition, published in 2015).
8. The serviced accommodation appears to be self-contained, and it is therefore likely that the units would be occupied on a self-catered basis. Furthermore, the proposed floor plan does not include elements such as a reception area, office or facilities to provide breakfast to occupiers. On this basis and as no further details regarding the level of service which would be provided as part of the proposed C1 use have been provided, I find it unlikely that the serviced accommodation would generate a similar level of employment to a mid-scale hotel.
9. The proposed office use would accord with the requirements of Policy ECON2, but this would represent a very small element of the buildings' overall floorspace. Furthermore, it is suggested that the financial and professional services would attract quality professionals to the area by creating higher skilled jobs, but very limited details have been presented to substantiate this statement.
10. The number of enquiries which the Council has received in respect of industrial buildings in recent years suggests that there is demand for this type of premises in the area. Whilst Policy ECON2 does not explicitly require the premises to be marketed, I cannot be certain, on the basis of the available information, that there is no demand to use the appeal building for E(g), B2, B8 and other similar uses. Similarly, there is no compelling evidence showing that the use of the premises for purposes falling within the E(g), B2 and B8 Use Classes would have a significant adverse impact on surrounding land uses.
11. The appeal scheme may generate a greater number of jobs than the previous occupier. However, in the absence of clear evidence to the contrary, it cannot be simply assumed that the proposal would represent an economic enhancement over and above E(g) B2 / B8 uses. Overall, the proposal would result in the unjustified loss of employment land, which would be detrimental to the local economy, contrary to the aims of LP Policy ECON2.
12. The appellant has referred to the eLP, which may not retain the Great Western Industrial Estate as a Key Employment Site. However, as noted above, very

limited weight can be ascribed to the eLP and, even if in the future, the appeal premises formed no longer part of a Key Employment Site allocation, this does not necessarily mean that there would not be a policy requirement to retain the site in employment use.

13. My attention has also been drawn to a planning application¹ on a neighbouring site, which has been recently refused by the Council, and is the subject of a separate appeal. Limited details have been presented in respect of this particular scheme and despite its proximity to the appeal site, I cannot be certain that the circumstances of this development represent a parallel to the proposal before me, including in respect of the application of LP Policy ECON2.

Character and appearance

14. The appeal site is located within an area of mixed character and forms part of Dorchester Conservation Area, which owes much of its special interest to its rich collection of historic buildings reflecting the development of the settlement over the centuries. As noted within the Council's submissions referring to the Dorchester Conservation Area Appraisal², the appeal premises lie within the Victorian and Edwardian areas adjoining the historic core (Sub-Area 'h'), and are regarded as 'pleasant examples of modest industrial buildings, with loading doors and a hoist'. There is no doubt that, by reason of its architectural and historic interest, the warehouse building has to be regarded as a non-designated heritage asset, and makes an important contribution to the character and appearance of the Dorchester Conservation Area.
15. Some aspects of the appeal proposal, such as the alterations and height reduction of the existing buildings sited towards the rear of the site, would be positive. However, the construction of a new second floor in the form of a large extension between the existing roof pitches of the warehouse would represent a significant and incongruous addition, which would overwhelmingly dominate the appeal building.
16. The extensive areas of glazing, which would span across a major part of the new front and rear gables, but also the glazed balustrades, would detract from the building's industrial character and appearance. The extension would as a result stand out as a discordant and alien feature. This would be exacerbated by other external alterations required to facilitate the conversion, which would overall give the appeal building an overtly domestic appearance.
17. Furthermore, I share the concerns raised by the Council regarding the lack of information in respect of historic fabric and features, as their loss would add to the erosion of the building's special interest. For these reasons, the appeal scheme would cause unacceptable harm to the appeal building and surrounding area, but also fail to preserve the character and appearance of the Dorchester Conservation Area.
18. The magnitude of the harm would be less than substantial, to which I ascribe considerable importance and weight. In accordance with paragraph 202 of the National Planning Policy Framework (the Framework), the harm identified should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

¹ Local Planning Authority Reference P/FUL/2021/02294.

² Dorchester Conservation Area Appraisal Supplementary Planning Guidance, adopted July 2003.

19. As noted above, the appeal scheme includes improvements to part of the premises, and would enable the reuse of the former industrial warehouse, which has remained vacant for the last couple of years. The occupation of the premises may also assist to secure the long term future of the appeal building as an important contributor to the character and appearance of the Dorchester Conservation Area, and to some extent support the local economy.
20. However, significant interventions are required as part of the proposed development to convert the buildings to serviced accommodation, and limited evidence has been presented to demonstrate that this would constitute the optimum viable use for the appeal premises. Overall, I have been presented with no public benefits which would outweigh the identified harm.
21. For the foregoing reasons, the proposal would cause unacceptable harm to the character and appearance of the appeal building and surrounding area. Additionally, it would fail to preserve the character and appearance of the Dorchester Conservation Area. As a result, the appeal scheme would conflict with LP Policies ENV4, ENV10 and ENV12. Amongst other things, these require development proposals to complement and respect the character of the surrounding area, whilst conserving and where appropriate enhancing the significance of designated and non-designated heritage assets.

Other Matters

22. No concerns have been raised by the Council regarding the effect of the appeal scheme on Dorchester West Station, which is listed at Grade II. There is no intervisibility between the appeal site and Dorchester West Station, primarily by reason of the screening provided by the building currently occupied by The Range. As such, I am satisfied that no harm would be caused to the special interest of the Grade II listed station and its setting.

Conclusion

23. There are no material considerations, which indicate that the appeal should be determined, other than in accordance with the development plan. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR