

Application Number:	P/HOU/2023/05788
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	84 Croft Road Portland DT5 2EP
Proposal:	Erect rear/side single storey extension
Applicant name:	Mr Noble
Case Officer:	Rob Piggot
Ward Member(s):	Cllr Cocking; Cllr Hughes; Cllr Kimber

1.0 This application is brought to committee as part of the application site is on Dorset Council owned land.

2.0 Summary of recommendation:

GRANT subject to conditions.

3.0 Reason for the recommendation:

- 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	Acceptable, being within a Defined Development Boundary and the works are proposed to an existing dwelling.
Scale, design, impact on character and appearance	The proposals are small scale, subservient and the appearance is in keeping.
Impact on amenity	Being small scale with no new fenestration impacting neighbours, there is no impact to residential amenity.
Land Ownership	The proposed development would not affect the small area of land under Dorset Council ownership and does not relate to that area.

5.0 Description of Site

84 Croft Road is a two-storey end of terrace residential property, located within Weston in Portland and sited on a flat and irregular shaped plot with a garden and decking area to the rear.

A mixed stone, timber and brick boundary wall separate the property from a green undeveloped area to the north and an informal footpath runs diagonally through this green area, connecting Croft Road to a formal right of way which runs around the perimeter of the wider housing development.

The wider residential housing development is mid-20th century and consists of similar terrace and semi-detached properties on small to moderate sized plots. The property is located at the end of a de sac on the northern side of Croft Road.

6.0 Description of Development

Planning permission is sought for the erection of a rear/side single storey extension, approximately 3.7m high (2.3m to eaves level), 6.5m wide (at the rear), 4.1m long (at the side), and a small extension to the existing decking area to the rear, projecting an additional 1.3 -1.8m out toward the rear, being approximately 0.4m above ground level.

7.0 Relevant Planning History

There is no relevant planning history.

8.0 List of Constraints

Within a Defined Development Boundary; Easton

Area of Archaeological Potential; Portland

Neighbourhood Plan - Made; Name: Portland NP; Status 'Made' 22/06/2021

Right of Way: Footpath S3/32; - Distance: 40.86

Right of Way: Footpath S3/31; - Distance: 27.46

Dorset Council Land (Freehold): DT123931

Minerals and Waste Safeguarding Area - ID: 7196

Minerals and Waste Safeguarding Area - ID: 653

Minerals and Waste - Building Stone - Name: 968

9.0 Consultations

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

Consultees

- 1. Dorset Council - Rights of Way Officer** - No response received.
- 2. Dorset Council - Highways** - No objection.
- 3. Portland Town Council** - Supports the application.
- 4. Dorset Wildlife Trust** - No response received.
- 5. Ramblers Association** - No response received.
- 6. Dorset Council - Asset & Property**- No response received.

Representations received – None have been 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.

11.0 Relevant Policies

Development Plan

Adopted West Dorset and Weymouth & Portland Local Plan:

COM7	- Creating a safe & efficient transport network
ENV1	- Landscape, seascape & sites of other geological interest
ENV2	- Wildlife and Habitats
ENV4	- Heritage assets
ENV10	- The landscape and townscape setting
ENV12	- The design and positioning of buildings
ENV13	- Achieving High Levels of Environmental Performance
ENV16	- Amenity
INT1	- Presumption in favour of Sustainable Development
SUS2	- Distribution Of Development

Portland Neighbourhood Plan 2017 to 2031 (made 22/06/2021)

Port/EN7 Design and Character

Material considerations

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 taking: 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 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:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

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 176). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 173). Paragraphs 179-182 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 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

National Planning Practice Guidance

Supplementary Planning Document/Guidance

Supplementary Planning Documents/Guidance For West Dorset Area:

Weymouth & Portland Urban Design (2002)
Landscape Character Assessment (Weymouth & Portland)

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. This proposal is not considered to impact upon persons with protected characteristics.

14.0 Financial benefits

What	Amount / value
Material Considerations – N/A	
Non-Material Considerations – N/A	

15.0 Environmental Implications

The proposal will contribute to additional CO2 emissions from the construction materials and build stage.

16.0 Planning Assessment

Principle of Development

16.1 Alterations to the existing dwelling and property, within a defined development boundary, are considered acceptable under Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015). This is still however subject to other material planning considerations.

Impact on visual amenity

16.2 The wrap around rear and side extension is considered to be a modest addition to the host dwelling. It is subservient in scale, being single storey and having a small footprint, and, as it employs matching materials, it appears in keeping when read against the host and neighbouring properties. The development is considered to

accord with Policies ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015).

Impact on Residential Amenity

16.3 Being single storey the proposed extension would have limited impact and would not be overbearing or result in a loss of privacy. Whilst the rear area of the site slopes downward, with 98 Croft Road to the southwest being lower, there is already a moderate to high degree of intervisibility between the properties in close vicinity, given the tight knit nature of the layout of development. Alongside this, timber and block wall boundary fences are in place between 84, 98 and 86 to the southeast, with a small outbuilding at the rear of 98 Croft Road providing further screening to this garden. Furthermore, no neighbour objections were received. The development is considered to accord with Policy ENV16 of the West Dorset, Weymouth and Portland Local Plan (2015).

Impact on Highway Safety

16.4 There is not considered to be any impact to highway safety given that the development is at the rear and would not result in the loss of any off-street parking. As such the development accords with Policy COM7 of the West Dorset, Weymouth and Portland Local Plan (2015).

Property Ownership

16.5 Whilst a small section of Dorset Council owned land is within the overall red line plan, this area, on the northeastern boundary of the site, remains unaffected by the proposed development.

17.0 Conclusion

The proposal is in accordance with policies within the West Dorset, Weymouth & Portland Local Plan (2015) and Portland Neighbourhood Plan, and guidance within the NPPF (2021). There are no other material planning considerations indicating a different decision should be taken and this application is considered to be acceptable in planning terms and is recommended for approval.

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

Extension Drwg no. 2904:504/002 Rev A

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

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 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.