

EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 29 SEPTEMBER 2021

Present: Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Mike Barron, Alex Brenton, Robin Cook, Mike Dyer, David Morgan, Julie Robinson, David Tooke, Bill Trite and John Worth

Apologies: Cllr Barry Goringe

Also present: Cllr David Walsh

Officers present (for all or part of the meeting): Mike Garrity (Head of Planning), Kim Cowell (Development Management Area Manager East), James Weir (Senior Conservation Officer SP & Majors), Oliver Haydon (Highways Officer), Phil Crowther (Legal Business Partner – Regulatory), Hannah Massey (Lawyer – Regulatory) and David Northover (Democratic Services Officer).

Public Participation

Written Submissions

Imogen Stacey

Andrew and Janice Smith - applicant

210. Apologies

Apologies for absence were received from Councillor Barry Goringe.

211. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

Councillor Bill Trite confirmed that as he had previously expressed an opinion about the development – as set out in the report - he would not participate in the discussion or vote on minute 214, but had instead chosen to comment solely as a local Ward Member. Other than speaking as local Member, he played no part in consideration of that minute.

212. Minutes

The minutes of the meeting held on 25 August 2021 were noted.

213. Public Participation

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

214. **6/2021/0048 - Erection of ground floor entrance porch, bay window extensions at ground and first floor levels, and Juliette balcony at second floor to front (north) elevation. Conversion and extension of existing outbuilding to rear (south) for habitable accommodation with connecting glazed link from first floor level of house. Alterations to windows & doors - 1 Old Coastguard Cottages, Peveril Point Road, Swanage,**

The Committee was asked to consider application 6/2021/0048 for the erection of ground floor entrance porch, bay window extensions at ground and first floor levels, and Juliette balcony at second floor to front (north) elevation; the conversion and extension of an existing outbuilding to rear (south) for habitable accommodation with connecting glazed link from first floor level of house; and alterations to windows and doors at 1 Old Coastguard Cottages, Peveril Point Road, Swanage

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; and what this entailed. The presentation focused on not only what the development entailed and its detailed design – appearance, elevations and dimensions - but what effect it would have on residential amenity and the character the area, including the Dorset AONB and the Swanage Conservation Area and taking into account the policies against which this application was being assessed. The officer provided for an update which confirmed an additional condition: “in the first instance and in all subsequent occasions, the ground and first floor bay windows shall be separated by white panels to match the existing dwelling”. The reason for this was in the interests of visual amenity in the Conservation area.

Plans and photographs provided an illustration of the location and appearance of the development, its design and dimensions, how it would look; the materials to be used; environmental considerations; and its setting within that part of Swanage and the wider landscape - including the Dorset AONB and from Swanage Bay.

The proposal was to make alterations to the north (front) elevation of the house to form a bay window extension at ground and first floor, an entrance porch adjacent to the bay window, and a Juliette balcony on the second floor. On the western (side) elevation, the proposal was to add windows and rooflights to improve internal lighting. To the south (rear), it was proposed to replace a mono-pitch roof with a pitched roof convert and extend the existing outbuilding to form an additional bedroom with en-suite. To achieve this, the ground behind the existing building would be excavated to the level of the outbuilding floor, with retaining walls constructed to hold the adjoining ground. A glass link would be installed between the outbuilding and the house, connecting on the first-floor rear elevation of the dwelling.

Officers showed the development’s relationship with other adjacent residential development and how the extension was designed to be in keeping with the

characteristics of the established local environment, as far as possible. The characteristics and topography of the site was shown and its relationship with the row of cottages. Views around it were shown, which provided a satisfactory understanding of all that was necessary.

In summary, officers planning assessment adjudged that the overall design of the development was considered to be largely acceptable, with all, significant, planning matters having been appropriately, or adequately, addressed. Whilst in a sensitive environmental area, having assessed the material considerations, being seen to be acceptable and sufficiently compliant with national and local planning, the recommendation being made by officers was for Committee to approve the application.

The Committee were notified of written submissions and officers read these direct to the Committee – being appended to these minutes. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application.

Councillor Bill Trite, took the opportunity to address the Committee - solely in his capacity as one of the two local Ward Members - objecting to the proposal on the grounds it would adversely impact the Dorset ANOB and the Swanage Conservation Area; that there would be inadequate parking provision; that there was a need to conserve and enhance what was currently there and; that the bay window was obtrusive and the porch and glass corridor were out of keeping and rainfall on the glass would cause a nuisance. He urged the Committee to refuse the application on this basis.

Formal consultation had seen an objection from Swanage Town Council on the grounds that the modern design out of keeping with the character and appearance of surrounding properties and its Conservation Area and AONB setting, the bay window was obtrusive and the porch was contrary to the appearance of terrace, and the glass walkway was out of keeping, leading to overlooking and other adverse effects. However, they concluded that there would be no objection as long as proposals were seen to be more in keeping with character of area and Conservation Area.

The opportunity was then given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Some important points raised, and about which they considered still required clarification, were :-

- the dimensions of the bay windows and how its appearance would sit with there rest of the terrace
- that although the symmetry of the terrace would be somewhat compromised, would this be of any consequent significance
- how rainwater and surface water could be effectively displaced without resulting in nuisance
- an assurance that the glazed walkway services access didn't interfere with head height or intrusion and could the glass be obscured
- what overlooking and compromise to privacy there might be

- how stability of the ground would be assured and the means of doing this
- what consideration had been given to the viability of holiday homes in this context.

Officers addressed the questions raised - and clarification needed - providing what they considered to be satisfactory answers, which the Committee saw as generally acceptable.

Of importance was that officers were confident the conditions covering the development would satisfactorily address all of the issues raised, with their assessment being based on that and building regulations would provide for an assurance that those issues governed by that code could be readily addressed.

From debate the majority of Members considered the development to be reasonable and acceptable and noted that all building tended to evolve over time to suit a particular purpose. What was being proposed here seemed to remain reasonably true to the character of the terrace and how it was being done was considered satisfactory. The innovative design afforded use of the cottage for a family and the alterations being proposed were considered acceptable in that context. This seemed to be a measured and proportionate extension that would improve the capacity and living conditions at No.1.

However, other Members had reservations, particularly to what was being proposed at the rear and that the general appearance of the terrace would be compromised by what was being proposed.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; the written representations; and what they had heard at the meeting, in being proposed by Councillor Shane Bartlett and seconded by Councillor Robin Cook, on being put to the vote, the Committee agreed - by 7:1, with one abstention from Cllr Julie Robinson - to be **minded to** grant permission, subject to the conditions set out in paragraph 17 of the officer's report and the update provided in the presentation, with the enactment of their minded to decision being made by the Head of Planning.

Resolved

1) That permission be **minded to** be granted, subject to the conditions set out in paragraph 17 of the officer's report and in the update provided in the presentation with the enactment of their minded to decision being made by the Head of Planning.

2) That having taken into consideration the Committee's 'minded to' decision, the delegation to the Head of Planning to be authorised to grant permission be enacted.

Reasons for Decision

- Para 11d of the National Planning Policy Framework (NPPF) set out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise, or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.
- The location was considered to be sustainable and the proposal was acceptable in its design, general visual impact, and impact on Swanage Conservation Area.
- There was not considered to be any significant harm to neighbouring residential amenity.
- There were no material considerations which would warrant refusal of this application.

215. **6/2021/0283 - Retrospectively to undertake concrete repairs on the underside of arches, repair/replace stones in headwalls and repoint; and to repair a concrete footpath, install loose rock aprons at Briantspuddle Bridge, Briantspuddle,**

The Committee were being asked to retrospectively consider application 6/2021/0283, to undertake concrete repairs on the underside of arches, repair/replace stones in headwalls and repoint; and to repair a concrete footpath, install loose rock aprons at Briantspuddle Bridge, Briantspuddle

With the aid of a visual presentation the Committee were informed about what the application entailed and the reasoning for this, the characteristics of the bridge, its setting within the village and the wider landscape, the highway network, the materials used and how they were designed - as far as practicable - to be in keeping with that which existed.

The works were designed to ensure the future preservation of the bridge structure, its structural integrity and the continued safe and effective operation of the local highway network, including for HGV's

Due to the timing, budget and ecological constraints of the environmental permit, temporary traffic regulation order and road closure permit, the works had to be completed before the winter months and, consequently, since the application was submitted, so that was why the proposal was seeking approval retrospectively.

Given the circumstances, whilst the Committee understood the reasoning for the application being made retrospectively on this occasion – and its necessity - they hoped that this might be avoided in future, if at all practicable, by more efficient coordination of the processes involved.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; and what they had heard at the meeting, in being proposed by Councillor Shane Bartlett and seconded by Councillor David Tooke, on being put to the vote, the Committee agreed - unanimously - to be **minded to** grant permission, as set out in paragraph 15 and the informative note of the officer's report, with the enactment of their minded to decision being made by the Head of Planning.

Resolved

That permission be **minded to** be granted as set out in paragraph 15 and the informative note of the officer's report, with the enactment of their minded to decision being made by the Head of Planning.

2) That having taken into consideration the Committee's minded to decision, the delegation to the Head of Planning to authorise the grant of permission be enacted accordingly.

Reason for Decisions

- The repairs were required to ensure the structural integrity of the structure, for the safety of road users and to enable on-going movement of vehicles including HGVs.
 - The works would lead to less than substantial harm to significance of the heritage asset. The public benefits of the bridge repair works outweighed this level of harm.
 - There were no material considerations which would warrant refusal of this application
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216. Planning Appeals Summary

Members considered a planning appeals summary of recent Inspector appeal decisions.

Whilst noting these, one member considered that decisions taken by the Inspector, relating to Ballard Down, Swanage and Misty Cottage, Worth Matravers -which was contrary to the Committee's decision - to be disappointing.

217. Urgent items

There were no urgent items for consideration.

218. Public Participation - Written Submissions and Representations

6/2021/0048 - ERECTION OF GROUND FLOOR ENTRANCE PORCH, BAY WINDOW EXTENSIONS AT GROUND AND FIRST FLOOR LEVELS, AND JULIETTE BALCONY AT SECOND FLOOR TO FRONT (NORTH) ELEVATION. CONVERSION AND EXTENSION OF EXISTING OUTBUILDING TO REAR (SOUTH) FOR HABITABLE ACCOMMODATION WITH CONNECTING GLAZED LINK FROM FIRST FLOOR LEVEL OF

HOUSE. ALTERATIONS TO WINDOWS & DOORS - 1 OLD COASTGUARD COTTAGES, PEVERIL POINT ROAD, SWANAGE,

Imogen Stacey

This cottage is part of a row of terraced cottages that are almost 200 years old and were built in the original Regency style in 1826 by William Moreton Pitt. The cottages have significant local and historical interest. They are located on the Dorset coastal path and are very visible on the coast line from the shore, and also when at sea. All the cottages have had minimal changes made externally and any changes that have been made were in keeping and also most were made a significant time ago.

I am writing this email on behalf of my mother Diana Stacey (owner of No 2 Old Coast guard cottage) and also the other (objecting) local residents

We feel that the plans will be very overlooking and create a further loss of privacy and light for current owners and residents. We feel that this is an over development for the size of the plot of land and that it is not in keeping with the Regency style that the original cottage was built in. This cottage is located in a Swanage Conservation area. Many of the precedents that are being referenced as justification for these proposed changes were made well before this area was designated a conservation area (in 1970).

The proposed plans include heavy use of glass which will create a further loss of privacy. This in the form of a two-storey bay window extension at the front and a glass corridor on the first floor of the back of their cottage above a communal walkway, which has shared access rights. They are proposing to build a porch with a large glass roof window at the side of their cottage on the land of the communal walkway. The plans will mean that current residents and owners' of the cottages in this terrace will be further overlooked and there will be further loss of privacy.

The proposed front elevation is too modern in style with more glass and also aluminium window frames (in opposition to the conservation officers' recommendations) and not in keeping. Part of the argument for this application has been to create symmetry so number one will look more like number 8. The proposed front bay windows are not planned in the same style as number 8 cottage. They are significantly larger in depth and width and much more modern in window style (using far more glass) than number 8. On their ground floor they plan to have doors spanning the width of their bay window extension, they already have a smaller set of double doors on the front of their cottage. The side porch will not support any symmetry in the row of cottages as there is not one at the other end of the row, at number 8.

The bay window at number 8 was built over 100 years ago prior to planning

consent and prior to the area being designated a conservation area, it has simple bay windows on both floors that are in keeping and is built on a much larger plot of land. They only have close neighbours on one side of their cottage unlike number one. I have also been advised by a previous owner of number 8 cottage that their bay window was built over 100 years ago before planning approval was required. The first floor bay window is in a bedroom whereas number one cottage have now changed the layout so that their first floor bedroom is now a livingroom, and as such it would be used far more often and number 2, number 3 and the watch house would be over looked far more in this proposed set up. We would therefore request that this not be approved.

The current owner of number one has already reconfigured the whole of the internal space within their cottage in preparation for these plans being approved. This plan would reduce the bedrooms within the main building. The proposal includes excavating the very small cottage garden at the back of the building to create more bedrooms/living space at the rear of their out building. We feel that this is likely to have serious consequences to the stability of the surrounding land. Part 01. in section 2.0 of the Stability Report (B.E.Willis Partnership) states that "the proposed rear extension will not cause instability to the sloping land. They have referenced that they have carried out previous slope stability reports within the Swanage and Durlston area as justification for their findings, but there is no specific mention of previous stability reports directly with in the Peveril point area.

Part 03. in section 2.0 states that "The discharge of rainwater should be agreed with the building regulation department and the Water Authority". I do not believe that I have seen any reports from the water authority (Wessex water) in support of this application. I have been advised that there have been significant issues with the drains in the Peveril point area and that major works were recently required very close to this site at the rear of the Lifeboat station and the rear gardens of several of the Old Coastguard cottages as the water mains there cracked. This resulted in the water supply being turned off. In addition, there is already an issue with rain water flowing down from the main road at the back of the cottages and into the gardens of some cottages. There are temporary sandbags regularly placed at the top of the communal steps between number one and the watch house to prevent the water from the back road coming down these steps and then ultimately into the back garden of number one cottage. So I would say that there is already an issue with water flow onto the proposed area of land that they wish to excavate.

Also in the summary of this report they state that at the time of the survey that there is "No evidence of fissures to the sloping land or cracking to the front of the existing building associated with active landslip" but this does not state that doing this work will not cause any landslip.

There is far less space (width/depth) in the communal passageway than is shown in the amended drawings and these proposed plans will dominate and

overshadow this area. The drawings indicate that they are planning to put up a safety railing on the side, opposite to the wall, of the new/proposed external steps entrancing their out building. If so this will significantly restrict access in the communal passageway.

This glass corridor connecting the outside space to the main building has been described as “Light touch”; but I do not feel that this is the case as I believe it will be over 2.5 meters high and it will look very out of place against the surrounding older buildings. If this glass corridor were to be allowed it would feel like number one cottage has been severed from the community style of the terrace. For the residents of number 2 and 3 who regularly use the shared back steps up to their gardens (located directly next to the proposed glass corridor) this will feel very claustrophobic. It will be seriously overlooked by our out buildings, over shadowing them (in size). This will also overlook the potential accommodation of number 2 outhouse (invasion of privacy). Without the glass corridor, there would be no issue with the proposed new steps and railing. Looking out of our second floor back window this area will change our historic view and not be in keeping with the regency style.

We would question that the legal communal “right to air” above the communal passageway is being breached by allowing any structure whether it be glass or otherwise above this passageway.

The watch house will be significantly impacted by the proposed changes as the house is laid out so that the court yard and entrance is at the side and overlooks number one cottage. So the watch house will be more overlooked, and will overlook all the large oversized windows and the side porch build out with glass roof (planned also to be on the shared walkway). The watch house will also have a further loss of privacy as the proposed glass corridor at the back of the cottage will be significantly overlooking their garden and also their bedrooms at the back.

The modernisation of this cottage could be done inside in its current footprint so that the outside remains in keeping with the terrace. We have deep concerns that once one approval is granted it will set a precedent for others to follow, whether this is immediate or in the future. Then over time these cottages will lose their original character and style. I have noted other planning requests online from other cottages have previously been declined.

Andrew and Janice Smith - applicant

We very much hope that this Planning Committee accepts the recommendation of the Planning Officers and Conservation Officer and approves our application. The design has been arrived at after lengthy consultation with the planning and Conservation Officers together with our

neighbours and it is particularly heartening that those neighbours who are resident within the terrace itself have written in support of our application. We confirm that we are happy to accept the conditions proposed by the Case Officer, which we have discussed verbally but, at the time of writing, not seen in writing.

We have a deep love and understanding of the conservation of important historic buildings and two of our past homes have been Listed Grade 11*. We also have a deep love of Swanage and this particular part of Swanage which is a hidden gem. We understand our neighbours concerns and fear of change, but sensitive alteration and conservation is just as important to us as to them – probably more so as this is going to be our permanent home.

Following extensive and sympathetic refurbishment of our house earlier this year, we have now moved in with our three young children and are desperately in need of the additional space that these proposed additions will create.

It has also become very clear that means of escape is a matter of the utmost importance. Access within the house has been vastly improved by the replacement of the lower staircase, and windows have been renewed at the rear with fully compliant means of escape windows. Whilst escape at first floor level through these would be practical, the height of the second floor windows would, contrary to what one of the objectors contended, make a ladder escape extremely hazardous, particularly for the young children. The 1st floor link is therefore vital to provide an alternative safe escape route.

It has also become clear that larger windows in the front elevation are also much needed. The Lounge at 1st floor level currently has a very small window in the north elevation which makes the room very dark internally. A larger window will not only improve the outlook towards the sea, but more importantly vastly improve the natural lighting.

Finally, the issue of privacy and light pollution has been raised by many objectors. We, as residents, are more concerned with our own privacy within the house and are happy to accept the officers conditions with this respect. However, the charm of this terrace is the open plan nature of the front gardens. Residents and holiday home owners and their children and grandchildren have enjoyed this open atmosphere for decades and as far as we know, nobody wishes this to change. As for light pollution, this really is a nonsense. Most people draw their curtains at night, and we will be no exception. If light pollution is a concern, there are numerous examples of bright external lighting to various commercial premises around the bay which have gone unchallenged for years, specifically The Grand Hotel and The Pines Hotel.

This house is to be a long term home for ourselves and our children and grandchildren and as its current custodians we wish to make it comfortable, safe, and sound for the long term future of the terrace.

We very much hope that you will support our application.

Duration of meeting: 10.00 - 11.45 am

Chairman

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