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Application Number:	P/HOU/2022/06160		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	3A Lighthouse Road Swanage BH19 2JH		
Proposal:	Proposed single story rear and side extension with alterations to form first floor balcony above. Replacement of glazed balustrade and flat roof to existing balcony. New vehicular access from Lighthouse Road		
Applicant name:	Mr & Mrs J A Page		
Case Officer:	Emma Macdonald		
Ward Member(s):	Cllr Suttle and Cllr Trite		
Publicity expiry date:	24 November 2022	Officer site visit date:	8 November 2022
Decision due date:	9 February 2023	Ext(s) of time:	9 February 2023

1.0 The red line area includes a small part of Dorset Council owned land which forms a verge over which a new access is proposed and associated visibility splays.

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation: as set out in para 16 at the end of this report

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- 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	Site is within the Swanage settlement boundary where there is no objection in principle to altering existing properties.
Scale, design, impact on character and appearance and impact on the AONB	Scale of the proposal is subservient. Materials proposed generally match existing. Access is acceptable, subject to condition
Impact on amenity	The nature of the single storey rear extension, plot size, mature vegetation and separation distances means that there will be no unacceptable impacts in terms of overshadowing or loss of privacy. With the addition of obscure glass and a higher screen the proposed balcony will not give rise to any unacceptable impacts.
Surface water drainage and coastal erosion	Acceptable subject to condition
Access and Parking	Acceptable subject to condition and informative
Biodiversity	An appropriate level of enhancement will be secured through a condition.

5.0 Description of Site

The application site lies on the eastern side of Lighthouse Road within Swanage's settlement boundary. 3a Lighthouse Road is a detached chalet bungalow set in a large rectangular shaped relatively level plot with garden to the front and rear. A detached double garage sits within the rear garden, with vehicular access onto Durlston Road to the east. Until recently, a gate has provided pedestrian access onto Lighthouse Road. Trees, hedges and vegetation form the site's boundaries.

The application site is situated on the edge of an established residential area. The street scene comprises dwellings that vary in style. On the eastern side of Lighthouse Road dwellings are substantial in size, sitting in generous plots, set well back from the road. The western side of Lighthouse Road, generally comprise chalet dwellings, set in more of a uniform pattern in smaller plots, but all set back from the road with front gardens and driveways. Properties on both sides of the road have Purbeck Stone boundary walls of varying heights. The eastern side of the road is generally tree lined, whilst the western side comprising more formal walling and hedgerows along the road frontage. At its southern end the character of the area changes with a rural feel as you approach Durlston Country Park.

6.0 Description of Development

Planning permission is being sought for a single storey rear extension which will allow for an enlarged kitchen along the back of the dwelling and a small side extension which will comprise a utility room. The rear extension measures approximately 7m wide by 3.3m deep. The proposed utility room will measure 1.6m wide and approximately 4.1m deep along the side (north) elevation. Both will measure approximately 2.7m in height.

Alterations are also proposed to form a first-floor balcony, to the rear, above the extension with a glazed balustrade around and patio doors leading out from the rear bedroom. To the front (west) it is also proposed to replace the existing flat roof and replace the existing metal balustrade with glass.

A new vehicular access from Lighthouse Road is also proposed. A gravel driveway with turning area is proposed within the site with a tarmac crossing over the verge of Lighthouse Road and visibility splays to address highway requirements.

7.0 Relevant Planning History

Permission Ref.	Proposal	Date	Relevant conditions/information
6/1990/0635	Repair, and use, existing pedestrian access in stone and wrought iron	Granted 10/10/1990	This allowed for a pedestrian gate onto Lighthouse Road.
6/1992/0616	Erect a house and detached garage, form new vehicular access.	Granted 30/11/1992	Condition 9 required all vehicular access to be to Durlston Road. No vehicular access or additional pedestrian access shall be constructed to Lighthouse Road. This was to prevent danger to road users.

8.0 List of Constraints

Application is within the Swanage Settlement Boundary

Bridleway SE3/47;

Areas Susceptible to Groundwater Flooding; Clearwater; $\geq 25\%$ $<50\%$

Dorset Council Land (Freehold): Durlston Country Park & Durlston Head Castle & Wardens Bungalow, Swanage

Within Dorset Area of Outstanding Natural Beauty (AONB) (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National

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Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Dorset Heathlands RAMSAR: (UK11021);

Bat Roosts: SZ07/BR 0015 - Swanage, Lighthouse Road;

Site of Special Scientific Interest (SSSI) (400m buffer): South Dorset Coast; -

9.0 Consultations

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

Consultees

1. **DC - Highways** (received 21 November 2022)

The road abutting 3A Lighthouse Road is not adopted highway but a private road.

Access is acceptable and there is no objection from the highways authority subject to conditions relating to the provision of turning/manoeuvring and parking construction and the provision of visibility splays.

Informative note regarding highway boundary

2. **DC - Rights of Way Officer** (received 4 November 2022)

The bridleway must remain clear with no vehicles parked along it, or materials stored, both during and after the development and any damage must be reinstated. Disturbance to uses of the public right of way should not be increased by this development.

This will be addressed by an informative

3. **Swanage Town Council** (received 9 November 2022)

No objection, however, concerns raised regarding the vehicular access and loss of Purbeck Stone Wall.

Officer notes: The agent has confirmed that the wall required removal due to its poor condition. The amount of stone wall to be removed will be kept to a minimum required to meet the necessary highway requirements. The remaining wall will be replaced/repared.

Representations received

The application was advertised by site notice.

Total - Objections	Total - No Objections	Total - Comments
2	0	0

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- Object to new access onto Lighthouse Road
- Incorrect information on application form with regards to access onto a public highway
- New access will have an impact on rural views and the amenity of the properties opposite from direct views.
- Loss of tree line and Purbeck Stone wall

10.0 Relevant Policies

Adopted Purbeck Local Plan Part 1:

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

- Policy SD - Presumption in favour of sustainable development
- Policy LD - General location of development
- Policy D - Design
- Policy LHH - Landscape, Historic Environment and Heritage
- Policy IAT – Improving Accessibility & Transport
- Policy BIO – Biodiversity & Geodiversity

Adopted Swanage Local Plan:

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

- Policy SS – Swanage Settlement
- Policy STCD - Swanage Townscape Character and Development

Other Material Considerations

Supplementary Planning Documents/Guidance:

- Purbeck District Design Guide adopted 14 January 2014
- Dorset AONB Management Plan 2019-2024
- Dorset AONB Landscape Character Assessment & Management Guidance 2008

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Emerging Local Plans:

Paragraph 48 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 Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

The Purbeck Local Plan (2018-2034) Submission January 2019 ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on Proposed Main Modifications and additional consultation on Further Proposed Main Modifications having been undertaken and a further public hearing session held on 19 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).

Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan.

In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but for the reasons set out above these policies should be accorded little weight in the determination of the application:

E1: Landscape

E12: Design

National Planning Policy Framework – July 2021

- Section 2 – Achieving sustainable development
- Section 4 - Decision Making
- Section 12 - Achieving well designed places

- Section 15 - Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

11.0 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.

12.0 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.

The proposal would need to comply with current Building regulations and increases the level of accommodation provided within an existing dwelling. It is not considered that the proposed extension and alterations to the dwelling would result in any disadvantage to persons with protected characteristics once the construction phase has been completed. During construction some people may be more affected by any noise and disturbance.

13.0 Financial benefits

none

14.0 Environmental Implications

All new development is associated with some carbon dioxide production, but no specific significant impacts have been identified from the proposal.

15.0 Planning Assessment

15.1 The main planning considerations are:

- The principle of development
- Design and impact on Area of Outstanding Natural Beauty (AONB)
- Amenity
- Drainage
- Access and parking
- Biodiversity

These and other considerations are assessed below.

Principle of development

15.2 The site is within the Swanage settlement boundary where there is no objection in principle to altering existing properties subject to consideration of all material planning issues, site-specific constraints and representations received.

Scale, design, impact on character and appearance and Impact on the AONB

15.3 The site is located within the Dorset Area of Outstanding Natural Beauty (AONB) on the edge of the built-up area of Swanage. The east side of Lighthouse Road is characterised by large houses set back from the road frontage in large plots. This gives a sense of spaciousness but with a verdant character created by mature trees and garden planting. Front boundaries are defined by walls or fencing backed with mature hedging or shrubbery. This gives the area a consistent low density residential character which is well integrated with the mature landscaping at the edge of the townscape leading up to Durlston Country Park and the open countryside.

15.4 Given the size of the plot, the proposals do not encroach on the sense of space around the building and the extension is barely visible within local views and there are no wider views within the AONB that are likely to be adversely impacted by the development. The proposal conserves the appearance and character of the landscape in accordance with Policy LHH 'Landscape, Historic Environment and Heritage' of the Purbeck Local Plan Part 1 (PLP1) and paragraph 176 of the NPPF. The scale of the extension will be a notable addition but remains subservient to dwelling and the materials proposed generally match existing consistent with the overall character of the house in accordance with Policy D 'Design' of PLP1. Sufficient garden remains to the rear, side and front of the property to serve the dwelling.

15.5 A new vehicle access and gravel driveway is proposed to the west of the site onto Lighthouse Road. Officers note that construction of the driveway has already commenced without the benefit of planning permission. Planning conditions currently restrict vehicular access from Lighthouse Road, to prevent danger to road users.



- 15.6 Although no objection has been received, the Parish Council has raised concern regarding the loss of the Purbeck Stone Wall for the purposes of the creation of the new access. This has been raised with the agent, who has explained that the wall was in poor condition and a safety hazard. The agent has also confirmed that the amount of stone wall removed has been kept to a minimum required to meet the necessary highway requirements. Beyond the required access, the wall is intended to be reinstated with the original stone which has been retained for this purpose.
- 15.7 It is understood that at least one tree was removed from the western boundary. The agent has explained that this tree was in poor condition. It is recommended that at least one new tree is planted on the western boundary of the site, this will soften the impact of the new access from Lighthouse Road. The applicant has explained that four trees have been purchased and will be planted.
- 15.8 Given that other properties on the eastern side of Lighthouse Road have similar access provision and the overall loss of the Purbeck Stone wall will be kept to a minimum it is considered that the proposal will not have an unacceptable impact on the street scene, character of the area or the AONB.
- 15.9 Officers consider that the remaining wall should be replaced/repared with Purbeck Stone as is typical for the area and replacement trees are planted. It is recommended that this is conditioned (Condition 4)
- 15.10 Overall, the development is considered to be acceptable and in accordance with Policy LHH 'Landscape, Historic Environment and Heritage' and Policy D 'Design' of the PLP1 and the NPPF as it conserves the appearance, setting and character of the landscape.

Impact on amenity

- 15.11 Durlston House is situated adjacent to 3a Durlston Road to the north. The two properties are situated in relatively close proximity; approximately 3.5m building to building with hedges and trees making up the boundary. The proposed side extension will not bring the dwellings closer together. To the south, Juniper Cottage lies over 10m from the dwelling subject to this application.

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- 15.12 Due to the nature of the single storey rear extension, the plot size, existing vegetation and separation distances, the proposals do not give rise to any unacceptable impacts in terms of overshadowing or notable loss of privacy to the occupants of the adjoining dwellings.
- 15.13 Officers were concerned about the impact of the proposed balcony on the privacy of the neighbouring property to the north. To address this issue a revised plan has been submitted to include the use of obscure glass and a higher screen on the side elevation to reduce the impact of direct overlooking from the balcony. (Condition 3)
- 15.14 A third-party representation has been received objecting to the proposed access, loss of tree line and Purbeck stone wall. As set out above, at least one tree will be planted on the western boundary to replace a tree that has been removed. The loss of the Purbeck Stone wall is limited to approximately 5.5m with approximately 18m replaced and/or retained/repared (condition 4).
- 15.15 Further concerns about the loss of views are not material to consideration of the application.
- 15.16 The proposal, as amended, is therefore considered to be in accordance with Policy D 'Design' of the Purbeck Local Plan Part 1 in terms of impact on local amenity.

Surface water drainage and coastal erosion

- 15.17 The site is within 400m of the coastline. Purbeck Local Plan Policy CE 'Coastal Erosion, requires that in this location development must demonstrate how surface water can be discharged without adding to the ground water levels with the consequential detrimental effect on coastal stability.
- 15.18 Draining surface water to a soak away or any other system which is likely to contribute to the level of groundwater or surface erosion is unlikely to be acceptable. Surface water is currently discharged into the mains sewer and that this will continue. It is recommended that a condition is included to require disposal of surface water to the mains sewer in order to ensure no impact on coastal stability. (Condition 8)

Access and Parking

- 15.19 This application proposes a new vehicular access from Lighthouse Road, where previously there was only pedestrian access. Lighthouse Road is not an adopted highway but a private road, understood to be owned by Durlston Country Park. Its use is a matter that lies beyond the planning remit.
- 15.20 Dorset Council's Highway Authority has been consulted on this application and has no objection to the proposal subject to conditions regarding the provision of turning/manoeuvring and parking construction and visibility splays as submitted (conditions 6 and 7).

Biodiversity

- 15.21 It is a requirement of all development to protect and where possible enhance the natural environment, as stated in the NPPF, paragraphs 8, 174 and 180. It is

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recommended that a proportionate level of enhancement is secured by condition. In this case, the erection of at least one bat and/or bird box would reasonably provide biodiversity enhancements. (Condition 9)

16.0 Conclusion

Officers consider that, subject to conditions to secure the repair/re-instatement of the boundary wall to the west, materials to match existing, the provision of at least one replacement tree, biodiversity enhancements and highways safety measures the proposal would accord with the local development plan and therefore recommend that the application is approved.

17.0 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 plan:

AG22/09/02 F - Proposed Plans and Elevations

3. Before the proposed balcony is brought into use, the proposed balcony screen on the northern elevation shall first be installed. The screen must be at least 1.8m high and glazed with obscure glass to a minimum industry standard privacy level. Thereafter the height of the screen and obscure glazing shall be retained.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property

4. Within 2 months of the surfacing of the approved access, the wall forming the western boundary shown on plan number AG22/09/02 F should be re-instated/repared using Purbeck Stone, reclaimed wherever possible, and at least one replacement tree should also be planted on the western boundary as shown on the approved plan.

If within a period of 5 years from the date of the planting of any tree/plant, that tree/plant or any tree/plant planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree/plant of the same species and

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size as that originally planted shall be replanted in the first available planting season unless the Local Planning Authority agrees in writing to any variation.

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

5. The external materials to be used for the wall(s) and roof(s) shall be similar in colour and texture to the existing building(s).

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

6. Before its use by vehicles other than those associated with the construction hereby approved, visibility splay areas as shown on the submitted plan AG22/09/02 F must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

7. Before the access and parking hereby approved are used by vehicles other than those associated with the construction the turning/manoeuvring and parking must have been constructed as shown on the approved plan AG22/09/02 F. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

8. Disposal of surface water must be to the mains sewer with the agreement of Wessex Water unless subsequent variation is agreed in writing with the Council.

Reason: The site lies within 400m of the coast where additional surface water/ground water drainage may have an adverse impact upon the stability of nearby cliffs.

9. At least one bat and/or bird box shall be erected prior to first occupation or use of the development hereby approved.

Reason: To enhance or protect biodiversity.

Informative Notes:

1. Informative Note - Wessex Water. The point of connection for the disposal of surface water to the existing public sewer must be agreed with Wessex Water Services Ltd.

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2. Confirmation of highway boundary - They can be contacted 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.

3. 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.

4. The applicant is advised that the granting of planning permission does not override the need for the safe free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on the above path then a Temporary Path Closure Order must be obtained. This can be applied for through this office but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application. This application and legal order must be confirmed before any works obstructing the path are commenced.

Any damage to the surface of the bridleway attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980 by the applicant.

5. Landownership is a matter which falls outside of planning legislation. Permission of the landowner must be acquired in respect of the visibility splay required by Condition 6.