

Application Number:	P/HOU/2024/02253
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	9 Sea View Portland DT5 1AA
Proposal:	External alterations to include the provision of external insulation and solar panels and replacement doors and windows.
Applicant name:	Mr & Mrs Gabriel
Case Officer:	Josh Cawsey
Ward Member(s):	Cllr Roper, Cllr Hughes and Cllr Kimber

1.0 The application is being brought to committee at the request of the Service Manager for Development Management and Enforcement following a scheme of delegation consultation.

2.0 Summary of recommendation:

The Application is recommended for REFUSAL.

3.0 Reason for the recommendation:

The proposal, through the loss of the visibility of the stonework, proposed external insulation, increase in roof mass and alterations to the existing front dormer, would result in less than substantial harm to the Underhill Conservation Area. The increase in height, bulk and mass of the property as a result of the additional insulation and increases to the front elevation dormer would result in the property becoming an overly dominant feature of Sea View and would result in the loss of balance within the terrace. Whilst some public benefit through the potentially improved energy efficiency may be achieved, this benefit is considered to be mainly private and of extremely limited public benefit. There is therefore no overarching public benefit arising from the proposals to outweigh the harm to the heritage asset. The proposal is contrary to policies ENV4, ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015), policy Port/EN7 of the Portland Neighbourhood Plan (2021) and Paragraph 208 of the National Planning Policy Framework.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Principle of development is considered to be acceptable, subject to other material considerations.
Scale, design, impact on character and appearance	The proposal would result in an overly dominant feature in the street scene through the cumulative alterations.
Impact on the living conditions of the occupants and neighbouring properties	The proposal would not result in harm to the living conditions of any neighbouring properties.

Impact on landscape or heritage assets	The proposal would result in less than substantial harm, with limited public benefit that does not outweigh the harm.
Highway impacts, safety, access and parking	The proposal would have no impact on highways matters, including parking.

5.0 Description of Site

- 5.1 The application site is No.9 Sea View. This is an end of terrace three storey property, located to the Northeast end of the terrace. Sea View slopes heavily from Northeast to Southwest, with the terrace properties being stepped in order to match the slopping ground level. All of the properties have a distinct front building line, matching along the terrace.
- 5.2 With Sea View road to the frontage of the site, the proposal site has a small alleyway/walkway to the rear, separating the rear amenity space from that of Mallams further to the Southeast. This alleyway/walkway offers a clear viewpoint to the side and rear elevation of the application site.
- 5.3 Sea View is located within a largely residential area of Portland, with residential properties to all sides. Sea View is characterised by 3 large banks of terrace properties forming a small U-shaped estate, with a number of garages and gardens to the centre of the 3 banks. The estate is accessed by Coastguard Road to the Northwest, the only vehicular access in and out of the small estate. The site is within the Underhill Conservation Area.
- 5.4 The wider area is characterised by a large number of terrace properties, with narrow streets and limited parking. Many of these follow a similar design and style as Sea View, being stepped in line with the wider slope of the land from Northeast to Southwest towards Chesil Beach.

6.0 Description of Development

- 6.1 The proposal seeks works to increase the energy efficiency of the property. This includes the addition of external render, solar panels to the rear elevation roof slope, replacement fenestration, alterations to the front dormer, raising of the existing eaves and ridge heights, removal of the existing chimney and addition and blocking up of numerous windows.
- 6.2 The application is the re-submission of a previously withdrawn scheme. A number of minor alterations have been made for the resubmission. These include a vapor permeable levelling coat below the insulation and render finish, adding ashlar grooving to the render, the roof finish being changed from the existing smooth fibre cement tiles to riven fibre cement tiles, the 120 thick insulation to the gable end

above No.10 Sea View being replaced with 60 thick insulation and a gate to the front entrance in the boundary treatment.

7.0 Relevant Planning History

P/HOU/2023/01577 - Decision: WITHDRAWN - Decision Date:
29/06/2023

Cover house in insulation to improve energy efficiency. Fenestration changes.
Replace roof with more energy efficient version. Install solar panels.

P/PAP/2023/00644 - Decision: RESPONDED - Decision Date:
04/01/2024

Upgrade house for energy efficiency exterior appearance to provide heritage improvements

8.0 List of Constraints

Within the Underhill Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Within the Defined Development Boundary of Fortuneswell

Within the Portland Neighbourhood Plan Area

9.0 Consultations

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

Consultees

1. Dorset Council Conservation Officer

Objection

The proposal does not appear to have been altered since the previously submitted application P/HOU/2023/01577 and therefore it is considered that the consultee comments provided for the previous application are still relevant as the concerns raised have not been addressed.

The finish of the proposed external insulation with the associated increase in roof mass, removal of chimney and additional solar panels would alter the appearance of the building and detrimentally harm the special character and local distinctiveness of

the Conservation Area. This level of harm would be less than substantial but with no wider public benefits to outweigh this harm.

2. Portland Town Council

Support the application

Were pleased to note that the applicant is proposing to improve the thermal values of the property.

Representations received

Summary of comments of objections:

None received.

Summary of 5 representations of support:

- Improves the appearance of the house.
- Shows how sympathetic changes can marry with energy efficiency.
- Highlight the ability to move forward with eco/green materials and methods.
- In line with the neighbourhood plan.
- In line with the declared climate emergency.
- In line with paragraph 164 of the National Planning Policy Framework.
- Opportunity to use renewable energy methods.

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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

Development Plan

West Dorset, Weymouth and Portland Local Plan (2015)

INT1	–	Presumption in favour of sustainable development
ENV1	–	Landscape, Seascape and Sites of geological interest
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
SUS2	–	Distribution of Development

Portland Neighbourhood Plan (2021)

EN2	–	Renewable Energy Development
EN7	–	Design and Character

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

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

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:ND

Paragraph 164 – In determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposal would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in Chapter 16 of this Framework.

Paragraph 205 – When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater weight should be given). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 208 – Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.

Other material considerations

Weymouth and Portland Urban Design (2002)

Landscape Character Assessment (Weymouth and Portland)

Appraisal of the Conservation Areas of Portland as amended 2017

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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 and there would be no adverse impact arising from this development on persons with protected characteristics.

14.0 Financial benefits - None.

15.0 Environmental Implications

- 15.1 Recognising the urgent need to act on the causes and impact of climate change and biodiversity loss, Dorset Council declared a Climate and Ecological Emergency in 2019. As part of this, the vision proposes to become a resilient, carbon neutral and nature positive Dorset, being a carbon-neutral council by 2040 and helping the whole of Dorset become carbon-neutral by 2050 (at the latest). In 2020, a Climate and Ecological Emergency Statement (2021-2023) was published, which can be found on the Dorset Council website.
- 15.2 The proposal submitted seeks to increase the energy efficiency of the property, seeking to insulate the property, as well as replace existing fenestration and add solar panels. However, as noted within the Conservation Officers response, this does so in a way that is not appropriate for the building and location, with other methods being available that are more suited to the application site and building.
- 15.3 As assessed further below, it is considered that whilst the proposal would result in an environmental improvement through the works, this benefit to the public would be minimal due to the small scope of the works. This benefit would instead be mostly private with a betterment for the applicant/owner being the main enhancement.

16.0 Planning Assessment

Principle of development

- 16.1 As per policy SUS2 of the adopted local plan, the principle of extensions and alterations to existing lawful residential properties is acceptable subject to further consideration of matters such as amenity, heritage impact and design.

Scale, design, impact on character and appearance

- 16.2 The proposal seeks to extend the existing property through the addition of external cladding, as well as solar panels to the rear elevation, raising of the eaves and ridge, as well as alterations to the existing front dormer, increasing the height and mass.
- 16.3 Whilst the proposal includes a number of solar panels to the rear elevation, these would be permitted development as per Schedule 2, Part 1, Class C and therefore their impact has not been considered as part of this assessment.
- 16.4 Through the proposed alterations to the dormer, as well as the raising of the existing eaves and ridge, the proposal would see the property become a more prominent feature of both Sea View and the wider area.
- 16.5 The proposal also would see No.9 Sea View extend beyond the existing front elevation through the addition of external cladding. The existing terrace, whilst stepped in roof height, are all “flush” with regards to the front elevation and the proposal would see the dwelling protrude past this distinct building line.
- 16.6 It is considered that the proposed alterations would result in the property becoming an overly dominant feature of Sea View and would result in the loss of balance within the terrace with the proposal protruding beyond the existing front building line which

is a clear feature. As such, the proposal is assessed to be contrary to policies ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015).

16.7 Policy Port/EN7 of the Portland Neighbourhood Plan (2021) states that proposals are expected to be of a design which compliments the prevailing size, height, scale and mass, materials, layout, density and access of the surrounding development, be of a high quality design and use locally appropriate materials and colours, demonstrate that the development reflects and reinforces the existing character of the locality as identified in the Portland Heritage and Character assessment and applies the principles set out in conservation area appraisals where appropriate; and where possible, incorporates and enhances existing landscape features.

16.8 As set out above, the proposal would result in a proposal that does not compliment the prevailing size, height, scale and massing of the area, being overly dominant and resulting in the protrusion past the existing front and therefore also not complimenting the existing layout. The proposal is therefore also assessed to be contrary to Policy Port/EN7 of the Portland Neighbourhood Plan (2021).

Impact on the amenity of neighbouring properties

16.9 Whilst the proposal seeks to enlarge the property through the raising of the ridge and eaves, as well as adding insulation to the external walling, these changes are considered to not result in any additional impact on the neighbouring residential amenity above and beyond that of the existing.

16.10 The proposed new windows to the rear elevation would provide no additional outlook to neighbouring amenity beyond those of the existing.

16.11 Through the scale of the proposal, coupled with the nature of the proposals, the proposals would have no impact on residential amenity of any neighbouring properties above and beyond that of the existing. The proposal is therefore in accordance with policy ENV16 of the Adopted West Dorset, Weymouth and Portland Local Plan (2015).

Impact on heritage assets

16.12 Whilst No.9 Sea View is not a Listed Building, the site is located within the Underhill Conservation Area, in a prominent location elevated from Sea View with surrounding residential properties. There are also a number of historic footpaths that run to the Northeast and Southeast of the site, offering numerous viewpoints. There are therefore a number of views of the property that would be impacted upon by the proposed alterations.

16.13 Whilst there are multiple rendered properties within the area and street scene, the application site is a property which has Portland stone to the side and rear elevation. Although it is accepted that this has now been partially covered by a vapor spray that the applicant has applied to prevent damage, the detailing of the Portland stone below is still visible and legible. Portland stone, as per the Underhill Conservation

Area Appraisal, is noted as a key characteristic, with the Appraisal stating that “Portland stone that is seen and enjoyed is a key characteristic of the conservation area. Overpainting and rendering existing buildings would continue to dilute this important characteristic”.

- 16.14 The proposal, seeking to fully render the property, would result in the total loss of the Portland stone, in turn not only diluting this characteristic in the wider Conservation Area but resulting in the total loss of this important characteristic in respect of the application property.
- 16.15 As covered above, the proposal also includes a number of alterations that would increase the scale of the proposal as well, resulting in No.9 Sea View protruding past the front elevation of the “flush” terrace. When considered as a whole, it is assessed that the proposed works would result in a significant alteration to the appearance of the building within the Conservation Area.
- 16.16 Through the cumulative impact of the proposed alterations, it is assessed that the proposal would result in less than substantial harm to the designated heritage asset, namely Underhill Conservation Area.
- 16.17 The agent has stated that the proposal would result in a public benefit through the additional energy efficiency of the proposal. Whilst this would offer a benefit, it is considered that this benefit would be of a largely private nature for the applicant, rather than a public benefit which is required to balance the above noted level of harm. It is assessed that the extremely limited amount of public benefit arising from the insulation and installation of solar panels would not outweigh the less than substantial harm caused to the designated heritage asset.
- 16.18 The agent has also noted paragraph 164 of the National Planning Policy Framework that states that significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings should be given. However, this paragraph goes on to state that this should be read in conjunction with Chapter 16, which as above, also states that great weight should be given to the heritage assets conservation. As such, whilst accepted that significant weight should be given, this is to be balanced by the great weight noted within Paragraph 205 of the National Planning Policy Framework.
- 16.19 Section 72 (1) of the Listed Buildings and Conservation Areas Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation area and Paragraph 205 of the National Planning Policy Framework requires great weight to be given to the designated heritage assets’ conservation.
- 16.20 Therefore, giving great weight to the conservation of designated heritage asset, in this case the Conservation Area and the contribution the application property makes to that Area in terms of its characteristics, it is assessed that the less than substantial harm identified, would not be outweighed by public benefits. Accordingly, the scheme conflicts with Policies ENV4, ENV10 and ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015) which amongst other things seek high quality design which contributes towards maintaining local identity and

distinctiveness and conserving the significance of designated, as well as policy Port/EN7 of the Portland Neighbourhood Plan (2021). There would also be conflict with Paragraph 208 of the Framework as the harm to the designated heritage asset would not have clear and convincing justification, as it would not be outweighed by the very limited public benefit.

Highways impacts, safety, access and parking

16.21 The proposal does not seek to make any alterations to the existing site access or parking arrangements, with the proposal being only for works to the property to increase thermal efficiency. These changes would result in no impact on highways safety, access or the parking arrangements for the site.

17.0 Conclusion

17.1 The proposal seeks to make a number of energy efficiency improvements to the property, including the addition of external cladding, raising the height of the ridge and eaves, fenestration alterations and solar panels. Through the addition of the external cladding, coupled with the increase in ridge and eaves height, the proposal would result in a dominant feature and through the increase in footprint, protruding past the existing front “flush” building line within the terrace of Sea View.

17.2 The proposal would result in less than substantial harm to the Underhill Conservation Area as a result of the works. Whilst the proposal would result in some public benefit through the energy performance upgrades, it is assessed that the level of benefit being extremely limited, would not outweigh the less than substantial harm as stated within paragraph 208 of the National Planning Policy Framework. As such the proposal does not accord with policies of the development plan, including both the local plan and neighbourhood plan as identified in this report and furthermore conflicts with the NPPF.

18.0 Recommendation

18.1 Refuse for the following reason:

The proposal, through the loss of the visibility of the stonework, proposed external insulation, increase in roof mass and alterations to the existing front dormer, would result in less than substantial harm to the Portland Conservation Area. The increase in height, bulk and mass of the property as a result of the additional insulation and increases to the front elevation dormer would result in the property becoming an overly dominant feature of Sea View and would result in the loss of balance within the terrace. Whilst some public benefit through the potentially improved energy efficiency may be achieved, this benefit is considered to be mainly private and of extremely limited public benefit. There is therefore no overarching public benefit arising from the proposals to outweigh the harm to the heritage asset. The proposal is contrary to policies ENV4, ENV10 and ENV12 of the West Dorset, Weymouth and

Portland Local Plan (2015), policy Port/EN7 of the Portland Neighbourhood Plan (2021) and Paragraph 208 of the National Planning Policy Framework.