

Application Number:	P/FUL/2026/01805
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Sailing Club Marine Parade Lyme Regis DT7 3JF
Proposal:	Construction of extension to existing raised platform, including detachable shade canopy structure
Applicant name:	Lyme Regis Sailing Club
Case Officer:	Darren Rogers
Ward Member(s):	Cllr Bawden

1. Reason application is referred to Committee for determination:

- 1.1 The officer recommendation differs from that of the Town Council and following consultation with the Chairman and Vice Chairman as per the Councils Scheme of Delegation as set out in the constitution, the Chairman has determined this application should be determined by the planning committee.

2. Summary of recommendation:

Refuse planning permission for the reasons set out below at section 17 at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	The principle of extensions and alterations at these premises is considered acceptable.
Scale, design, impact on character and appearance/ heritage assets	The proposals as submitted are considered to be harmful (moderate harm) to Heritage assets that is not outweighed by public benefits.
Impact on the living conditions of the occupants and neighbouring properties	The proposals as submitted are considered to be harmful to the amenity of neighbouring residential occupiers.
Flood risk	There are no adverse flood risks.
Economic benefits	The extended premises do bring about economic benefits to the town by way of visitors and club members using the sailing clubs' facilities but these benefits do not outweigh heritage harm and neighbouring amenity harm.
National Landscape / World Heritage impacts	There are no adverse Dorset National Landscape / World Heritage concerns.
Highway impacts, safety, access and parking	There are no adverse highway / parking issues.

Issue	Conclusion
Ecology/BNG10%	There are no adverse ecology or biodiversity issues.
Flood Risk	There are no adverse Flood Risks.
Coastal Risk Management	There are no adverse Coastal Risk issues.

4. Description of site

4.1 The application site, Lyme Regis Sailing Club, is centrally located within the Cobb area of the town. The Club is bordered to the west by Marine Parade, and east by a part pedestrian road but which has vehicular access on both frontages. To the east and north of the site and immediately in front of the access gates into the site, are a number of single storey mainly timber large 'shed like' takeaway kiosks located on this part of the road. The site is also adjoined by two pubs, to the north is The Harbour Inn and to the south is The Cobb Arms. At the entrance to the site, in the southern corner adjacent to The Cobb Arms are public toilets.

4.2 To the east, across Marine Parade, is the working harbour with tender/boat storage and slipway. To the west, again across Marine Parade, are a mix of retail and residential units.

4.3 The area immediately surrounding the application site is characterised predominately by tourism and recreation related development, comprising a variety of building and structure types and architectural styles. At the rear of the site are:

- 19/20 Marine Parade is Portland View a 3 storey Grade II listed building,
- Cobb House Flats and shops, a Grade II, 4 storey building formerly the Old Bonded Store; and on the corner of Marine Parade and The Cobb is The Old Watch House also a Grade II listed building.

4.4 Nos 14 to 20 (consec), Cobb House flats, the Old Bonded Store flats and shops and the Shell Shop, form a group.

4.5 In the immediate vicinity of the site, the structures range from prominent stone-built buildings, takeaway kiosks, working harbour slipway, seating for the kiosks and a mobile sauna located close to the beach.

4.6 All of this area is also located within the Lyme Regis Conservation Area and although lying outside of the defined development boundary (DDB) of the town, the site is very much seen in the wider built-up context of this part of the town. It lies within the Dorset National Landscape and within the Lyme Regis and Charmouth Slope Instability Zones - Zone 1-3

4.7 The site itself comprises an existing single storey office building immediately upon entrance to the site and set behind the access gates which has an external decking area at first floor on its roof surrounded by metal balustrade. The site also has covered boat storage facilities and an open yard area and gives access via a raised platform and steps to the existing Lyme Regis Sailing Club's Club House which includes bar drinking facilities.

5. Description of development

5.1 The proposal seeks to enlarge the existing raised platform. The structure has been in existence for some considerable time. Planning permission was in place for it to incorporate a lookout tower (not built) under application ref 1/W/94/000059 approved 19/07/1994. The existing

raised platform is used as a lookout control area for Club races with the clubhouse being traditionally used by Club spectators of the races. A detachable shade canopy structure is also proposed above the raised platform, made from supporting posts and sails (which are proposed to be sails from laser sailing dinghies which the club use). The shade canopy structure is intended to provide shade from the sun during the summer months but is proposed to be able to be removed and stored on site when not in use (i.e. during the winter months and periods of inclement weather). Currently the club use parasols/sun umbrellas which do not hold up well in the wind. The proposal also incorporates boat storage at ground floor level underneath the raised decking area.

5.2 The applicant's agent has confirmed that the proposed Laser dinghy (ILCA) sails are made of woven polyester, universally known by the brand name Dacron. It is a tightly woven, un-laminated white polyester fabric, not a smooth film, which is matt or semi-matt, depending on the resin. The sailcloth is designed for strength and shape stability, not reflectivity. Dacron sails are white in colour which means they would be slightly light-scattering, diffusing light rather than reflecting it like a mirror, given a soft bright shade. But they do not reflect light the way reflective tape, mylar laminate sails or metallic film sails would do. The sails have been chosen as they are UV-resistant (far more than cotton or standard polyester), strong under tension, designed to handle wind loads, and easy to clean and they consider them to be visually attractive.

6. Background and relevant planning history

6.1 Members will be aware that we are encouraging application discussions to take place prior to the submission of planning applications and whilst this is not a statutory requirement there has been no pre application discussion as regards this proposal. The following is the relevant planning history

1/W/93/000713 - Decision: GRA - Decision Date: 24/01/1994

Demolish existing boathouse and erect single storey clubhouse and race control tower

7 List of constraints

7.1 The site is located within the Lyme Regis Conservation Area. It lies within the Dorset National Landscape and within the Lyme Regis and Charmouth Slope Instability Zones - Zone 1-3. It lies adjacent to a number of Grade II listed buildings

7.2 The site lies outside of Flood Risk Zones 2 and 3. As for surface water the only flood risk relates to the 1:1000 flood risk but this essentially relates to Marine Parade at the rear off the site :

8 Consultations

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

8.2 **DC - Coastal risk management** - No objections.

8.3 **DC - Highways** - The Highway Authority has no objection to the proposal.

8.4 **DC - Conservation Officers** - As it stands, it is considered that the application will result in some harm to the character and appearance of the Conservation Area and to the setting of Cobb House, through the insertion of an expanded structure of utilitarian form and design, with highly prominent sail canopy and posts – (see further commentary in assessment section below).

8.5 **Dorset National Landscape Team** - Do not wish to comment on this occasion, due to the scale of the proposal. We recommend that the following guidance is considered when determining the application:

<https://www.gov.uk/government/publications/the-protected-landscapes-duty/guidance-for-relevant-authorities-on-seeking-to-further-the-purposes-of-protected-landscapes> & <https://dorset-nl.org.uk/wp-content/uploads/2024/01/Consultation-guidance-and-new-duty-to-look-to-further-the-purpose-of-National-Landscapes-January-2026.pdf>

They recommend that regard is given to advice concerning impacts on heritage assets, noting that NPPF paragraph 189 states that the conservation and enhancement of cultural heritage is an important consideration within National Landscapes.

8.6 Lyme and Charmouth Ward Member – Supports the proposal and considers that the benefits for the Saling Club arising from the proposal outweigh any heritage harm.

8.7 Lyme Regis Town Council - Recommends approval of the application because they say it is in accordance with the approved development plan and does not involve unacceptable or material harm to the Conservation Area or heritage assets.

8.8 Third Party Representations received - There have been no third-party representations received either objecting or supporting the application.

9 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.

The Planning (Listed Buildings and Conservation Areas) Act 1990 - includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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.

Section 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty) when making any decision which affects such land.

10 Relevant policies

Development plan

In this case the development plan comprises:

Local Plan Adopted West Dorset and Weymouth & Portland Local Plan:

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

INT1: Presumption in favour of sustainable development

ENV1: Landscape, seascape & sites of other geological interest

ENV2: Wildlife and habitats

ENV4: Heritage assets

ENV5: Flood risk

ENV7: Coastal erosion & land instability

ENV10: The landscape and townscape setting

ENV12: The design and positioning of buildings

ENV13: Achieving high levels of environmental performance

ENV15: Efficient and appropriate use of land

ENV16: Amenity

SUS2: Distribution of development

COM4 New or Improved Local Recreational Facilities

COM5 The Retention of Open Space and Recreational Facilities

COM7: Creating a safe & efficient transport network

COM9: Parking provision

COM10: The provision of utilities services infrastructure

Material considerations

Emerging local plans:

Paragraph 49 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, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Local Nature Recovery Strategy

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

National Planning Policy Framework August 2026

Section 1 Purpose of the planning system

Para 15. The purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest.

Para 17 Achieving sustainable development means that the planning system has three overarching objectives in providing for the homes, commercial development, facilities and infrastructure which society needs:

a. **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b. **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible community

facilities, public service infrastructure and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c. **An environmental objective** – to support efforts to mitigate and adapt to climate change, including moving to a low carbon economy; and to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, and minimising waste and pollution.

Section 3. Decision-making policies

Determining development proposals

DM3: Determining development proposals

DM6: Use of planning conditions and obligations

DM7: Relationship with other regulatory regimes

Section 4. Achieving sustainable development

National decision-making policies

S3: Presumption in favour of sustainable development

S4 Principle of Development within Settlements

Section 7. Building a strong, effective economy

National decision-making policies

E2: Meeting the need for business land and premises

Section 14. Achieving well-designed places

DP3: Key principles for well-designed places

Section 17. Pollution, public protection and security

National decision-making policies

P3: Living conditions and pollution

Section 18. Managing flood risk and coastal change

National decision-making policies

F4: Assessing flood risk for decision-making

F7: Ensuring development is safe from flooding

Section 19. Conserving and enhancing the natural environment

National decision-making policies

N4: Protected Landscapes

Section 20. Conserving and enhancing the historic environment

National decision-making policies

HE4: Securing the conservation of heritage assets

HE5: Assessing effects on heritage assets

HE6: Proposals affecting designated heritage assets

HE9: Conservation areas

Other material considerations

National Planning Practice Guidance

Supplementary Planning Document/Guidance

All of Dorset:

Dorset AONB Landscape Character Assessment

The Dorset National Landscape Management Plan 2026-31

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.

Supplementary Planning Documents/Guidance For West Dorset Area:

WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment February 2009 (West Dorset)

Conservation Area Appraisals:

Lyme Regis adopted October 2010 - 'Marine Parade, Lister and Langmoor Gardens and associated views and panoramas' are identified as areas of special interest of the Conservation Area as are 'coherent groups of buildings of quality within the town, including Marine Parade.'

11 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 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.

It is not considered that there are any specific PSED issues arising from this proposal other than the existing premises caters for all disabilities as regards sailing activities.

13 Public Benefits

13.1 The proposals would provide a number of unknown financial and non-financial benefits, including public benefits in that those Club Members and other visitors to the Sailing Club bring /spend into the local Lyme Regis Economy. The provision of enhanced sailing facilities also brings health benefits and improved well-being for those undertaking the sailing activity.

14 Planning Assessment

14.1 Principle of development - The application site is located outside the Defined Development Boundary for the town. However, the site is located well within the built form of the Cobb. The site is also located within a key tourism area of town where there are various visitor attractions and facilities.

14.2 Policy SUS2 of the Local Plan highlights that outside defined development boundaries, development will be strictly controlled, having particular regard to the need for the protection of the countryside and environmental constraints, and be restricted to, among other things:

- *alterations and extensions to existing buildings in line with their current lawful use, including their subdivision or replacement.*

14.3 Policy COM4 (New or Improved Local Recreational Facilities) of the Local Plan highlights that Proposals for new or improved open space or recreation facilities will be permitted provided that:

“The proposal would be well-located to be accessible to its main catchment population and would not generate significant single purpose trips by private car; and the proposal would not undermine the commercial viability of nearby community facilities which may be better placed to service the needs of the surrounding community.

Proposals to enhance water sports or marine based recreational provision will be permitted, subject to the protection of any land and maritime nature conservation in the area and potential impact on the existing use of the recreation facility”.

14.4 Policy COM5 criteria (ii) states:

ii) Existing marine based recreational facilities should be retained

14.5 In addition to the above adopted Local Plan Policies the National Planning Policy Framework Policy S4: ‘Principle of development within settlements’ is also applicable. This sets out that:

“1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework”

Although the site lies outside the defined development boundary (DDB) of Lyme Regis this does not in National Policy terms mean that it lies outside a settlement which is defined in the NPPF as:

“Includes cities, towns, villages and other predominantly built-up areas, including land which is allocated or has permission for development which will form part of the built-up area once the development is complete. This includes areas defined as a settlement in the development plan (whether using defined settlement boundaries or equivalent terms, or criteria for identifying settlement extents where boundaries have yet to be defined)”.

In this case the application site is well-located within the Cobb area of the town and in close proximity to public car parks and accessible by public transport options meaning that the proposal would not be likely to generate significant additional traffic above that already using the sailing club. Further, given the location of the site and the nature of the proposal, it is considered that it would not undermine the commercial viability of nearby community facilities and would not negatively impact land and maritime nature conservation or the existing use of the recreation facility.

14.6 The proposed development would, therefore, have in principle support as it would comply with policies SUS2, COM4 and COM5 of the Local Plan and S4 of the NPPF but is subject to other material considerations as set out below.

14.7 Impact on neighbouring listed buildings and the character and appearance of the Conservation Area

14.8 Policies ENV10 and 12 of the Adopted Local Plan deal with design related issues and Policy ENV4 deals with Heritage impacts. As is set out earlier in this report, the application site is within the Lyme Regis Conservation Area and in close proximity to a number of listed buildings. The Conservation Area Appraisal highlights that the town and 'Cobb hamlet' have developed as two distinct areas connected by the Old Cart Road and the linear walk of Marine Parade but clearly separated by the contrasting open character of Langmoor and Lister Gardens.

14.9 The site being located within the Conservation Area and National Landscape (AONB) is visible within that context and has the potential to alter the character of the surrounding area and key viewpoints to, and from, land and on sea.

14.10 The scale, extent and layout of the proposed development the applicant says has been kept to a minimum and is virtually entirely screened from public views by the existing built form of the existing structures at the Sailing Club and the adjacent pubs. They say the proposal has been designed to harmonise with its setting. Much of the existing Sailing Club complex is set behind existing access gates and set behind the existing catering kiosks fronting the harbour. However, the site and the catering kiosks do provide a somewhat utilitarian feature within the more heritage asset related and more formalised existing buildings set within the Conservation Area that surround the site. The site is therefore a sensitive one in Heritage terms.

14.11 When the proposed sail cloths would be in use for shade, particularly in the summer months, these would be visible from both sides of Marine Parade and would be regarded as a more semi-permanent feature than the sun parasols that the Club currently use for shade (and which of course do not in themselves need planning permission). The proposed sail cloths however would align with the sites existing use as a Sailing Club as the cloths are proposed to be laser sails which the Club have onsite.

14.12 The applicant claims that the design of the proposed raised platform extension and its use of a sensitively selected palette of materials would ensure that the development would preserve the character, appearance and significance of the Conservation Area. They say that furthermore it is considered that the proposed development would not erode the contribution the site makes to the Cobb hamlet and the town, or be to the detriment of the character, appearance and significance of the Conservation Area. In addition, they say that the proposal would ensure that views into and out of the Conservation Area are not adversely harmed as the site would retain its Sailing Club context.

14.13 The applicant also explains that there are listed buildings to the north, west and south, which are in close proximity of the site. However, the proposed development they say would be screened from view of these heritage assets by virtue of the existing built form around the site with no clear views possible from these buildings to ensure that their historic and architectural significance, character, appearance and settings would not be harmed.

14.14 The Lyme Regis Conservation Area Appraisal explains that : *"Marine Parade has three separate characters: from Cobb Gate, a genteel walk alongside a delightful seafront of Georgian origins with architectural highlights in the form of Sundial House and the thatched Nos. 6A-9; in the middle, with a backdrop of the Langmoor and Lister Gardens, a parade of modest 20th century seaside entertainment and shelters, with a central faience shelter as a focal point; and at Cobb hamlet a narrow road of old houses, warehouses and inns. Joining up the three separate characters of Marine Parade is the archetypal experience of the seaside - its sights, sounds and smells – and the unique pleasure of walking parallel with the Cart Rd, defined by a unique combination of seawall, beach and tide, towards The Cobb".*

14.15 The Council's Conservation Officer has been consulted and comments as follows:

"Lyme Regis Sailing Club occupies an area between Marine Parade and the slipway, and historic mapping/ photographs (Aerial Photo | Historic England) indicate that it was previously the garden associated with Cobb House, the three storey, grade II listed building to the northwest (list entry

no. 1278863). The site is set behind a historic stone wall, much of which is concealed behind food kiosks. The application site lies within the Lyme Regis Conservation Area.

(NB. In 1994 consent was granted for the erection of the current sailing club buildings, which appear to include a race control tower. However, we understand that this was not constructed due to a restrictive covenant on the height of structures permitted on this land owing to its historic associations with Cobb House. It is not clear whether the land is still subject to the covenant and if so, whether the structure proposed would be permitted.)

The significance of this site lies partly in its historical association with Cobb House, the garden wall to the front (south-east) of the site remains in situ and that to the rear appears to have been incorporated into the linear range which runs along the side of Marine Parade.

The current platform is relatively modest in scale, although the railings are of a utilitarian form and consequently the impact of the structure on the Conservation Area could, at best, be described as neutral.

The Proposal

This application proposes an extension of the viewing platform to the north-west, at a slightly higher level. It is also proposed that posts and a canopy of Laser sails are installed to provide sun-protection to users of the platform.

Whilst it may be possible to extend this raised platform to the rear without significantly changing the visual impact of the structure on the character of the Conservation Area, the development would see a significant increase in the level of built form within this historic setting. This increase in massing will therefore have some impact on the setting of the associated, Cobb House and will be highly visible from the upper floors of this building and the neighbouring properties. The posts and sails will also be visible from the back of Cobb Square, from the Cobb and the Harbour, partially obscuring the incidental, but attractive views of Cobb House.

As it stands, it is considered that the application will result in some harm to the character and appearance of the Conservation Area and to the setting of Cobb House, through the insertion of an expanded structure of utilitarian form and design, with highly prominent sail canopy and posts.

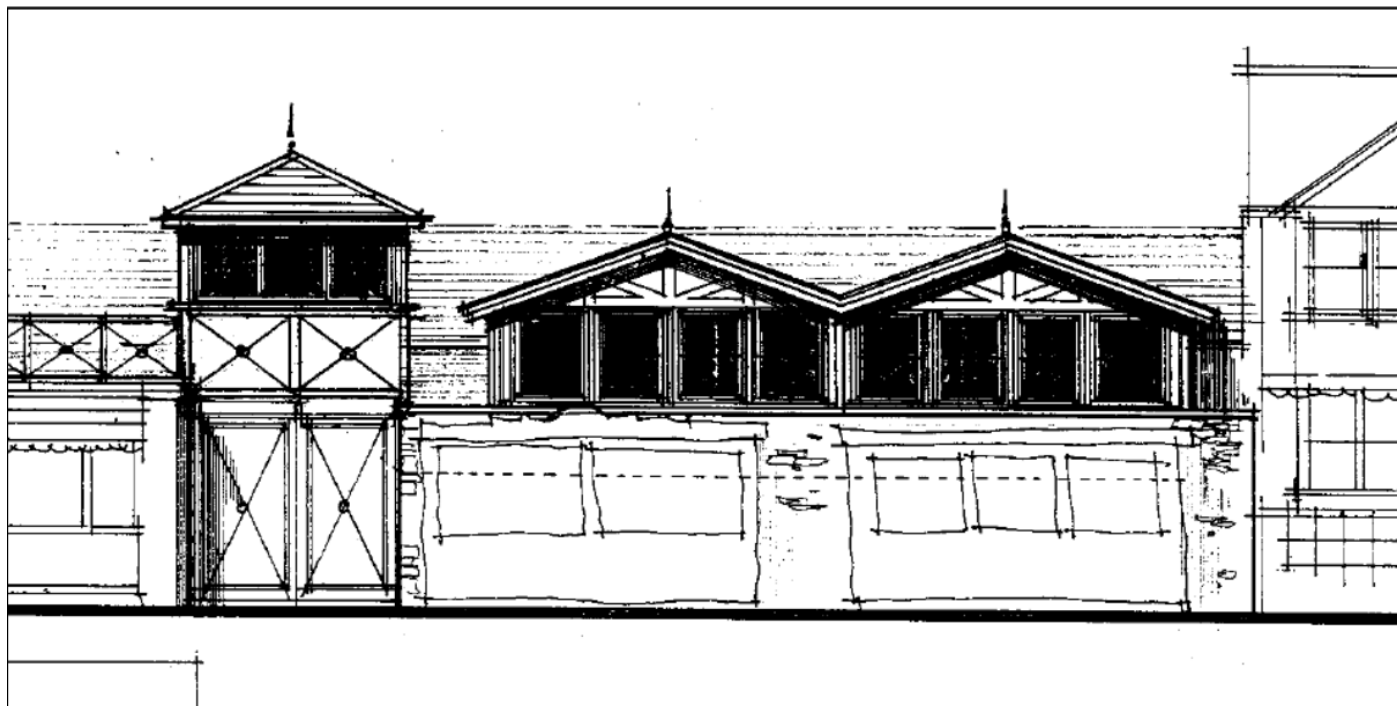
If there is to be an enlargement of the footprint here and improvements to its utility, it is considered that rather than just expanding the current rather utilitarian format, the structure should be elevated (in design terms, rather than height) and enhanced. Given its location within the Conservation Area and the setting of several listed buildings, applications should enhance or better reveal significance). Given the changes to the proposals which would be necessary to meet this requirement, we suggest that the application should be withdrawn and pre-application advice sought”.

14.16 Given that, in addition to the above, the objective of Section 14 (Achieving well-designed places) as set out in the NPPF Aug 2026 is to promote *high quality, healthy, inclusive and sustainable places, through setting clear expectations about design*, and that National Decision-Making Policy DP3: “Key principles for well-designed places” states:

1. Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets

...it is considered that the existing platform building is utilitarian in appearance akin to a large timber shed type structure.

The structure as a whole which includes the additional sails along with its metal railings roughly 1m in height and silver in colour, which are akin to highway pedestrian railings, make no positive contribution to the character and appearance of the Conservation Area. Applications were submitted for the redevelopment of the clubhouse in the 1990's and both applications were approved by the Council under application (refs. 1/W/94/000059 and 1/W/96/000463, respectively) permitting the demolition of the former boathouse and for the construction of a new clubhouse, race control tower and ancillary accommodation. The development was commenced in 1995, with the demolition of the former boathouse and the construction of *'the galley, bar and clubroom...and changing rooms, toilets, showers and boat stores'* which opened in May 1996. The approved plans (see extract below)



show the approved 'lookout tower' which was only partially constructed. The legs and raised platform were constructed but the roof was never completed as the Club realised there was a covenant to say they couldn't go higher. Notwithstanding the above, Heritage and Design considerations as set out in the NPPF Aug 2026 are now considered to be somewhat different from Policy over 30 years ago. Section 14 (Design considerations) and section 20 (Heritage) of the NPPF now place increased emphasis on good, high quality design in the determination of planning applications. With that in mind the proposed extension of the existing raised platform decking including a higher raised platform decking area extending at the rear of the existing would it is considered compound the adverse external appearance of the site as a result of the design solution proposed. This is because the metal railings proposed which are roughly 1m in height and which simply extend the existing metal railings that surrounds the existing platform are utilitarian in appearance, silver in colour, and which are akin to highway pedestrian railings. They are not for example timber which might well be a better design solution in the sensitive Heritage area. This would as a result, harm the character, appearance, setting and therefore significance of heritage assets in the area, including the Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development proposals within conservation areas are required to either 'preserve or enhance' those areas. In this case by reason of the increased height of the extended platform structure and decking, and the extended utilitarian balustrading proposed, it is considered that the proposed development would neither preserve nor enhance the character or appearance of the Conservation Area.

14.17 The resulting Heritage impacts as set out above would be less harmful if the detachable sails were not part of the application proposals, but they have been submitted to show the development proposal as a whole. However, even without the detachable sails, the extended first floor decking area with its utilitarian railings extending the existing railings, coupled with the use of

the extended decking area would it is considered add additional utilitarian-built form which would neither preserve or enhance the character or appearance of the Conservation Area as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Policy HE9: 'Conservation areas' of the NPPF Aug 2026 also states that:

1. Development proposals within or affecting the significance of conservation areas should:
a. Retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible.

14.18 In addition to the above, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this case the increased height as a result of the extended external platform decking area would bring additional bulk to the existing site which would have an adverse impact on the setting of the Grade II listed Old Bonded Stores (which includes Cobb House) and Cobb House and adjacent buildings to the West in Marine Parade. Occupiers of the upper floors of the Old Bonded Stores and Cobb House directly overlook the site and harbour and beach beyond and irrespective of whether these properties are holiday homes or not, they are residential in nature and their listed status makes a positive contribution to the character and appearance of the Conservation Area. It is considered that the proposals would detract from the setting of these listed buildings, as a result of the extended balcony a distance of circa 11m from the front elevation of the Old Bonded Stores (which includes Cobb House) while the existing decking area is circa 20m away, along with the accompanying paraphernalia and at times, the sails/posts. The east facing elevation of the Old Bonded Stores (including Cobb House) would as a result become partly obscured, particularly when viewed from the Harbour and from afar on the Cobb, eroding the wider setting of these listed buildings (Old Bonded Stores (including Cobb House) and their visual connections/visual links with other heritage assets along Marine Parade. As a result, the proposals would not comply with policy ENV4 of the Local Plan. Furthermore, it is considered that the proposal is contrary to Policies HE6 and HE9 of the NPPF Aug 2026.

14.19 Do the sails and supporting poles need planning permission? Consideration however also needs to be given to the detachable nature of the sails and supporting poles. They are intended to be removable/temporary and used sporadically when weather permits which does beg the question as to whether this aspect needs planning permission. However, they are as shown on the submitted plans to show the full development proposals and to prevent later issues as to whether they do or do not need consent. They have been submitted as part of the overall scheme. The sail material is as set out in para 5.2 above. If they were removed from the application the Heritage harm arising from the extended decking area and metal railings would be less harmful, but of course the extended decking area would still cause harm to the heritage assets as set out above and would have an adverse impact on the amenity of neighbouring occupiers (see Residential Amenity issues below). There is also the consideration that that even if the sails/poles were removed completely, other paraphernalia could be brought on to the extended seating area which again, will result in harm to the heritage assets as outlined given that temporary seating/umbrella's/tables can in themselves bring visual clutter which although temporary (could be packed away), the likelihood is for the majority of any one year they will be present.

14.20 Heritage Harm v Public Benefits Having considered that the proposal as a whole would lead to heritage harm both in the Conservation Area context and harm to the setting of neighbouring listed buildings, the LPA then needs to consider the level of that harm in relation to the National Planning Policy Framework. The NPPF Aug 2026 Policy HE4: 'Securing the conservation of heritage assets' explains that:

"2. Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification"

14.21 Policy HE6: Proposals affecting designated heritage assets states that:

“1. When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

2. Development proposals which would have a positive effect on a designated heritage asset should be supported.

3. Any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.

4. Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.

5. Where a development proposal would cause substantial harm to, or the total loss of, the significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm or loss, or if all of the following apply:

a. The nature of the heritage asset would otherwise prevent all reasonable uses of the site;

b. No suitable use for the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;

c. Conservation by grant-funding or some form of not for profit, charitable or public ownership is not possible; and

d. The harm or loss is outweighed by the benefit of bringing the asset back into use.

6. Within this context, development which would cause substantial harm to, or the total loss of, the significance of grade II listed buildings, or grade II registered parks or gardens, should be exceptional; while development which would cause substantial harm to, or the total loss of, assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”*

14.22 Officers acknowledge that the extended premises would bring about economic benefits to the town by way of visitors and club members using the Sailing Clubs facilities, but the Club facilities do already exist. The applicant sets out that the proposals would provide significant benefits to existing and future members of the club and Lyme Regis Sea School, but officers consider that this is not considered to be a ‘public’ benefit weighing in favour of the proposal as set out in NPPF Policy HE6 as club members are not the public. As such the proposal would essentially provide private benefits to Club members and visitors as opposed to wider public benefits. The applicant also explains that they cannot see that the proposed extension in any way detracts from the existing environment of the harbour and say it can be argued that it provides some improvements.

14.23 Notwithstanding the applicant's viewpoint given all of the above it is considered that the proposals would not preserve or enhance the character and appearance of the Conservation Area nor the wider setting of adjacent listed buildings and that these identified harms to the significance of designated heritage assets are not outweighed by public benefits. As such the statutory Section 66 and Section 72 tests of the Planning (Listed Buildings and Conservation Areas) Act 1990 are not met and the proposal would be contrary to Policy ENV4 of the adopted local plan in addition to the design policies, ENV10 & ENV12 of the adopted local plan, and to Sections 14 and 20 of the NPPF and in particular Policies DP3: Key principles for well-designed places; HE6: Proposals affecting designated heritage assets and HE9: Conservation areas.

14.24 Dorset National Landscape Impact/World Heritage Coast - Dorset National Landscape Team do not wish to comment on this occasion, due to the scale of the proposal. The proposed development would be within the confines of the existing Sailing Club site, which itself is located within the built-up section of the Cobb hamlet, and surrounded by existing buildings and development. It would be read in context with the site's existing use and against the backdrop of existing buildings. Consequently, the visual impact of the proposed development would result in no harm to the National Landscape context, and it would not give rise to any adverse effects to the surrounding National Landscape area. When viewed from afar e.g. the Grade I listed Cobb structure, the existing Sailing Club is seen very much in the wider context of this urban part of Lyme Regis and in that regard is considered to be acceptable, as is the impact on the World Heritage coast which is so designated for its main cliffs either side of the wider built-up conurbation of the town centre.

14.25 It is, therefore, considered that the proposed development would accord with policies ENV1 and ENV10 of the Local Plan as it would not have a harmful visual impact or harm the character of the surrounding National Landscape

14.26 Access and parking arrangements - No changes to the access to the site are planned by the proposed development. Access to the site is via Marine Parade which runs adjacent to the site's south-western boundary. The site is easily accessible on foot, or by bicycle, and there are a range of on street parking options and public car parks within walking distance of the site. Consequently, the proposal would not be likely to give rise to significant levels of additional traffic that would harm the safety of the surrounding highway network, especially when considered in context of the existing use of the Sailing Club. As such Policies COM7 and COM9 of the Local Plan are satisfied particularly given that Highways officers have assessed the development proposal which incorporates boat storage at ground floor level underneath the raised decking area and no unacceptable impact on highway safety was identified. Hence, the Highway Authority has no objection to the proposal.

14.27 Residential amenity - Policy ENV16 of the adopted Local Plan and Policy P3: 'Living conditions and pollution' of the NPPF Aug 2026 deal with impacts on neighbouring occupiers' amenity. Policy P3 states:

1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on living conditions whether these effects are on or off-site; and whether this is as a result of the development itself or the product of pre-existing conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area.

14.28 Para 2 of Policy P3 goes on to say:

"2. Within this context development proposals should:

*a. Provide healthy living conditions for occupiers and users in terms of
avoiding exposure to levels ofnoise, which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions";*

14.28 In light of the above and as regards the impact on the neighbouring occupiers to the west, particularly those residential occupiers whether they be second homeowners or prime residents in the Old Bonded Stores (which includes Cobb House) Grade II listed building, this needs to be considered against the backdrop that this is a more mixed commercial part of Lyme Regis than say a modern quiet residential housing estate. On the one hand it could be argued that existing occupiers in such a mixed commercial area, should not expect the same level of amenity as one would expect on a quiet housing estate but on the other hand any neighbouring premises which seeks to expand or intensify their use needs to consider the impact of those proposals on neighbouring amenity.

14.29 In this case the extended 1st floor external decking along with its proposed sails structure would more than double the footprint of the existing decking facility and therefore has the ability to intensify the use at first floor level by club members and visitors for club events and other social activity at the Sailing Club. Given the long-established nature of the club premises there is no planning condition restricting hours of operation to the existing premises or the external decking area. In this regard officers have also considered details of the clubs Premises Licence details of which are publicly accessible and can be got via this link - [Dorset | Dorset Council | Licence Register | 64270](#)

14.30 The club are permitted to hold plays, live music, recorded music, performance of dance, and the supply of alcohol as follows:

- Plays – 24 hours
- Live Music – 9am til 2am
- Performance of Dance – 12 midday – 2am
- Supply of Alcohol – 24 hrs

14.31 That is not to say that the above hours operate 7 days a week, 365 days a year, but these are the permitted hours as authorised through the Premises Licence. If the proposal were approved an application to the Council as Licensing Authority would be required to vary the premises licence to include any extended area in line with the above hours. As the premises licence has not been varied, the licensed area remains the same as existing and as such it is considered that the licensing system would not adequately deal with potential neighbour amenity issues that could see the use of the extended external decking area or alcohol sales at any time of day and could see live music till 2am and dance till 2am particularly in the warmer summer months.

14.32 As regards this current planning application the Premises Licence already exists and so as local planning authority, we are aware of those hours pending the determination of the current planning application. Para 3 of Policy P3: 'Living conditions and pollution' of the NPPF Aug 2026 states that :

"In applying this policy, it should be assumed, unless there is clear evidence to the contrary, that separate regulatory regimes for the control of pollution will operate effectively, as set out in policy DM7. This means that it will be appropriate to take into account emissions limits set through those other regimes"

14.33 However, we also know that the proposal seeks to more than double the external decking area thereby intensifying any outdoor social activity, and at only a distance of circa 11m from the front elevation of the Old Bonded Stores (which includes Cobb House - the existing decking area is circa 20m away).

14.34 Given all of the above, it is considered that notwithstanding the Premises Licence situation, that the proposal would compound the impact on the amenity of neighbouring occupiers to the west at the Old Bonded Stores (which includes Cobb House) to a degree to warrant the refusal of

planning permission. While the outlook from the upper floors of the Old Bonded Stores (which includes Cobb House) is currently over the roof of the existing site, and currently incorporating a view of the existing external decking area, that existing outlook is considered to be a poor one which would be compounded adversely in that the proposals would extend the existing decking area closer to the occupiers of the Old Bonded Stores (which includes Cobb House) and as a result of the additional built form of development and coupled with the increased external activity would adversely impact on the amenity of those neighbouring occupiers. As such the proposal would be contrary to policy ENV16 of the adopted local plan and Policy P3: 'Living conditions and pollution' of the NPPF Aug 2026.

14.35 Ecology/Biodiversity Net Gain 10% - The application site comprises existing sealed surfaces, buildings and structures that are effectively exempted from the 10% biodiversity net gain requirement. The development would not, therefore, impact a priority habitat or 25 square metres of non-priority onsite habitat or 5 metres of non-priority onsite linear habitat. As such BNG does not apply to the proposal.

14.36 Land stability - The site is located within land instability Zone 1 where it is unlikely that problems will arise from slope instability. Further, there are unlikely to be any significant constraints on development from slope instability.

14.37 Flood Risk - The site lies outside of Flood Risk Zones 2 and 3.

14.38 As for surface water the only flood risk relates to the 1:1000 flood risk but this essentially relates to Marine Parade at the rear off the site.

14.39 There are no adverse flood risks arising from the proposal given that the ground floor would be open and used for boat storage with decking above and there are no flood risks associated with the existing use.

15 Environmental implications

15.1 There are no other environmental implications other than the planning issues as set out above.

16 Summary of issues and the planning balance

16.1 While it is recognised that the existing sailing club offers wider economic benefits to Lyme Regis by way of visitors and club members contributing to the wider economy from their activities it is considered that the heritage and residential amenity harm created by the proposal results in the proposal being unacceptable. While consideration has been given to the detachable and temporary nature of the supporting posts and the sail canopy's, (which when not in use would result in less heritage harm), the extended platform would remain permanently with its ongoing additional use for social activities, and the development needs to be considered as a whole and not the sum of its parts. As is set out in section 14 above, the resulting Heritage impacts would be less harmful if the detachable sails were not part of the application proposals, but they have been submitted to show the development proposal as a whole. However, even without the detachable sails, the extended first floor decking area with its utilitarian railings extending the existing railings, coupled with the use of the extended decking area would it is considered add additional utilitarian built form which would neither preserve or enhance the character or appearance of the Conservation Area as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would harm the wider setting of the Old Bonded Stores (which includes Cobb House) a Grade II listed building contrary to the statutory Section 66 (setting test) of the same aforementioned Act. The harm to the designated heritage assets would not be outweighed by public benefits. Furthermore, the development would unacceptably adversely impact on the residential amenity of nearby properties. Hence the development is contrary to the policies of the NPPF and the adopted local plan as set out in this report.

17 Recommendation

Refuse planning permission for the reasons set out below:

1 The proposed development would result in the extension of the existing 1st floor decking area including the raising of the eaves line, the extension of utilitarian railings and incorporating sail structures made of woven polyester which despite their matt or semi-matt finish and which would be white in colour (notwithstanding their detachable nature) would result in a development which it is considered would compound the utilitarian appearance of the existing site and would not preserve or enhance the character and appearance of the Conservation Area nor the wider setting of adjacent Grade II listed buildings. The resulting heritage harm would be moderate in harm terms, but there are no public benefits that would outweigh the heritage harm. The proposal would essentially provide private benefits to Club members and visitors as opposed to the wider public as a result of the extended premises and as such are considered to be essentially private benefits and the limited public benefit of some potential additional spend being possible in the wider economy from any increase in club members or visitors visiting the club are not considered to outweigh the harm to the designated heritage assets. As such the statutory Section 66 and Section 72 tests of the Planning (Listed Buildings and Conservation Areas) Act 1990 are not met and the proposal would be contrary to Policies ENV4, ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015) and to Sections 14, 17 and 20 of the National Planning Policy Framework (Aug 2027) and in particular Policies DP3: Key principles for well-designed places; P3: Living conditions and pollution; HE4: Securing the conservation of heritage assets; HE6: Proposals affecting designated heritage assets; and HE9: Conservation Areas

2 The proposed development would result in the extended 1st floor decking area (incorporating sail structures (notwithstanding their detachable nature)) being brought within circa 11 metres of the front elevation of the 4-storey Old Bonded Stores (which includes Cobb House) residential building to the West. As a result, the proposed extended first floor decking area would result in an intensification of social activity from the clubhouse in the open air particularly during the summer months in good weather. Notwithstanding the Premises Licence which currently exists, it is considered that this additional activity would adversely affect the amenity of those existing nearby occupiers by reason of noise and general disturbance particularly in the evening. As a result, the development is contrary to Policy ENV16 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (Aug 2026) and in particular Policy P3: Living conditions and pollution.