



Appeal Decision

Site visit made on 30 November 2020

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 December 2020

Appeal Ref: APP/D1265/W/20/3258021

Limestone Hotel, Main Road, West Lulworth, Dorset BH20 5RL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Edward Wilkes against the decision of Dorset Council.
 - The application Ref 6/2019/0706, dated 18 December 2019, was refused by notice dated 11 March 2020.
 - The development proposed is to erect detached (semi portable) ancillary letting room and terrace.
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Decision

1. The appeal is allowed and planning permission is granted to erect detached (semi portable) ancillary letting room and terrace at Limestone Hotel, Main Road, West Lulworth, Dorset BH20 5RL in accordance with the terms of the application, Ref 6/2019/0706, dated 18 December 2019, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the conservation area.

Reasons

3. The West Lulworth Conservation Area Appraisal 2015 explains that the historic interest and significance within the conservation area principally resides in the village structure, the eighteenth and early nineteenth century buildings it contains and evidence for the changing historic relationship with the sea. There is also some early 20th century development, including the Limestone Hotel, that makes a positive contribution to the character and appearance of the area.
4. Along one side of Main Street, opposite the site, is a largely linear arrangement of vernacular buildings. By contrast, the Limestone Hotel and other 20th Century development is set high up on the hillside. The hotel has an open frontage with terraced lawns giving it a prominent location within the townscape. However, an area to the side of the hotel, around the proposed site for the development, has significant tree cover, as well as some more ornamental planting.
5. The proposal would be sited forward of the hotel and a neighbouring dwelling. The existing trees are unlikely to completely obscure it from public views and there may be future changes in the vegetation, including of trees on neighbouring land that would make it more visible.

6. However, while the proposed form would differ from the hotel and vernacular buildings, the Council has confirmed that the simple design is not considered harmful. The low height of the building relative to the hotel and neighbouring dwelling means that it would not be overly prominent in the wider views. The muted tones of the proposed timber finish would ensure that it could sit against the rising topography allowing the main hotel building to continue to dominate its site in close and long range views.
7. The proposal would not be screened from Sunnyside on higher ground to the rear of the hotel. However, these views are characterised by the expansive landscape setting of West Lulworth. The proposal would be low down relative to the public footpath and only visible through a narrow gap between the hotel and adjoining dwelling. In this context, it would not harm the character and appearance of the area. There may be additional light spillage from the proposed windows, but the scale of new development would not increase significantly compared to the hotel site overall.
8. I, therefore, find that there would be no harmful impact on the setting of the Limestone Hotel as a non-designated heritage asset, the character and appearance of the conservation area or its significance. Therefore, the proposal would not conflict with Policy D of the Purbeck Local Plan 2012 or those parts of the Purbeck Design Guide 2014 that require development to positively integrate and have a harmonious relationship with its surroundings.

Other matters

9. The proposed accommodation would be sited alongside the boundary with the neighbouring dwelling. Although it would be close to an outdoor seating area, and above any boundary fencing, it would be at a lower level, such that it did not intrude significantly upon outlook from this neighbouring property. It is possible that there would be some additional noise and odour arising from the accommodation. However, whether used by staff or guests, and notwithstanding the proximity to the boundary, there is no substantive evidence that it would be significantly more disturbing to neighbouring residents than the existing hotel.
10. Principle views out from the proposed accommodation, including the balcony, would be away from the adjoining neighbour. Therefore, despite the boundary being formed largely of open trellis, there would not be a harmful loss of privacy. Given the separation to the dwellings on the opposite side of West Road, there would be no harm to their privacy either.
11. There are extensive parking restrictions in the locality, especially in the summer months. However, even if future guests are not able to park at the site, they would still be required to park in accordance with traffic regulations. The Highway Authority has confirmed that there would be no material harm to the transport network or to highway safety and, whilst noting local concerns, there is no substantive evidence to lead me away from this position or to indicate that there would be a material increase in servicing or other activities on Sunnyside.
12. I understand that there is a significant amount of holiday and second home accommodation in the area. While this may put a strain on local businesses and services, the proposal would not lead to a loss in permanent dwellings. The evidence indicates that the area is frequented by large numbers of tourists but

does not indicate that there would be significant additional tourism pressure from one additional letting room at an existing hotel.

13. I understand that permission was refused many years ago for a caravan to be stationed at the site but it is likely that such a structure would have had a starker appearance. Permission was also refused for a parking area, but that would have been a different form of development and so not directly comparable.
14. The site is within an area of outstanding natural beauty. However due to the location of the proposal within the confines of the settlement and my findings in respect of the effect on the character and appearance of the area, the landscape and scenic beauty would be conserved.

Conditions

15. A plans condition is required in the interests of certainty. To this, and as my findings are, in part, dependent on the materials proposed. I have added a condition requiring details of the external wall finish. To protect the character and appearance of the area, tree work should be carried out in accordance with the specified method statement and to prevent any increase in off-site flood risk a condition is necessary to secure a surface water drainage scheme.

Conclusion

16. For the reasons given, I conclude that the appeal should be allowed.

M Bale

INSPECTOR

Schedule

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (unnumbered); Block Plan (unnumbered); 1497/2; 14979/3; 1497/4.
- 3) All works impacting on the retained trees during the development must be carried out as specified in the Arboricultural Method Statement by KJF Consultancy Ltd dated 16th December 2019.
- 4) Before any surface water drainage works start, a scheme for the disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the on-going management and maintenance of the scheme. The appropriate design standard for the drainage system shall be the 1 in 100 year event plus 40% allowance for the predicted increase in rainfall due to climate change. This requirement is above and completely separate to any building regulations standards. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SUDs). The results of the assessment shall be provided to the Council. The approved drainage scheme shall be implemented prior to the occupation of the accommodation and shall thereafter be maintained and managed in accordance with the agreed details.
- 5) Prior to its installation, full details, including colour and finished treatment, of the facing material for the external walls of the accommodation hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the accommodation is brought into use and shall thereafter be maintained as such.