
Appeal Decision

Site Visit made on 27 July 2021

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 September 2021

Appeal Ref: APP/D1265/D/20/3248112

Misty Cottage, Worth Matravers, SWANAGE, BH19 3LQ

- 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 Messrs J and B Whiteoak and Wilson against the decision of Dorset Council.
 - The application Ref 6/2019/0337, dated 6 June 2019, was refused by notice dated 13 January 2020.
 - The development proposed is to erect a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension at Misty Cottage, Worth Matravers, SWANAGE, BH19 3LQ in accordance with the terms of the application Ref 6/2019/0337, dated 6 June 2019, subject to the following conditions:
 - 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: Drawing numbers 17184.20, 17184.24, 17184.25, 17184.22, 17184.23, 17184.26, 17184.27, 17184.21, 17184.31 A, 17184.28 B, 17184.32 A, 17184.30 B, 17184.29 A, and 17184.33 B.
 - 3) Before the single storey rear extension is brought into use, the glazing within the north east (side) elevation of the extension hereby approved must be obscure glazed and fixed shut as per details first agreed in writing with the Local Planning Authority. This window/glazed element must be permanently maintained as obscure glazed and fixed shut as per the agreed details thereafter.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, glazed doors or openings other than those expressly authorised by this permission shall be constructed within the north east (side) elevation of the single storey rear extension.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, including the Area of Outstanding Natural Beauty (AONB) and also the significance of the Conservation Area and adjacent listed

buildings. Also, the effect on neighbour living conditions, particularly those at Rose Cottage, are a main issue to be considered.

Reasons

3. The site is within the Worth Matravers Conservation Area (CA). The site is also within the setting of the Grade II listed buildings known as Cobblers Cottage and Rose Cottage.
4. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) is relevant to this appeal as it requires special regard as to whether to grant planning permission for development which affects a listed building or its setting. Also, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas in the exercise of planning functions.
5. The National Planning Policy Framework (the Framework) also advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the Framework states that 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. I would regard the significance of the CA as being its historical buildings and village layout. The significance of the adjacent listed buildings include that they are good examples of cottages typical of the local vernacular.
6. The main element of the proposed extensions is the flat roof single storey rear extension. Whilst to the rear of the house, it is on a higher ground level than some of the surrounding areas and the proposed extension would be visible from the public open space area to the east.
7. The use of flat roofs is not typical in this village, where more traditional pitched roofs are more common. This does give the proposed extension a more contemporary form. However, whilst visible I would not regard it likely that the proposed extension, being of single storey and a relatively modest size, would be prominent in its setting. The appropriate use of materials as proposed also means that the appearance of the extension would blend with the existing house and the extension it already has. The use of the flat roof also helps keep the height of the extension low, so it is a more subservient addition and does not cover too much of the original rear elevation.
8. Whilst having a more modern sedum flat roof feature, the proposed extension is to use traditional materials typical to the village in the walls, for example. The fenestration is appropriate and the rooflights would be suitably positioned so as to be not prominent. The extension would visually blend well with the existing cottage.
9. The proposed extension is of a relatively modest size and single storey height. I acknowledge the difference in ground levels with Rose Cottage, but the scale of the proposed extension is such that it would not be an overbearing or dominant feature within the setting of this neighbouring listed cottage. The appropriate design and scale of the proposed extension also means that it would not have any negative impact to any other listed buildings and their settings in this village.

10. For these reasons, the proposed extension is of an appropriate scale and design for the rear elevation of the house. It would preserve the significance of the CA and the setting of neighbouring listed buildings.
11. I have no substantive evidence that the proposed extension would result in a material effect to the objective of having 'dark skies' in this area, especially as this is a cottage set quite centrally in the village, where it is likely there is already some light from other dwellings. It is likely that the rooflights would emit some light but not to a significant extent. Furthermore, the scale and design of the proposed extension means it would not be harmful to the landscape beauty and character of the Dorset Area of Outstanding Natural Beauty.
12. The proposed extensions at Misty Cottage are therefore not in conflict with Policies D (Design) and LHH (Landscape Historic Environment and Heritage) of the adopted Purbeck Local Plan Part 1, which requires the conserving of heritage assets, and to have a design which positively integrates with the surroundings, amongst other things. From the evidence before me, the proposal is also not in conflict with the emerging Purbeck Local Plan policies that my attention has been drawn to.
13. The proposal is also in broad accordance with both the Dorset AONB Management Plan 2019 – 2024, the Planning Practice Guidance where it relates to light pollution, or the 2021 National Planning Policy Framework.

Living Conditions

14. Having observed the site and its surroundings and considered the proposed details, the extensions would have no significant impact to neighbour amenities. The extension would be visible from the occupants of Rose Cottage, with their property on a lower level, but being single storey with a flat roof it would neither be dominant or overbearing. Also, for these reasons it would not significantly overshadow the property of Rose Cottage. Obscure glazing the side elevation window (as proposed) would safeguard the occupiers of Rose Cottage from significant loss of privacy.
15. Views of neighbouring properties would not be close enough or have a clear enough view to diminish privacy for any neighbouring occupiers to a significant degree. The scale and height of the proposed extensions are such that they would not be overbearing when viewed or have any other similar impact from neighbouring properties.
16. The proposals would not conflict with policy D of the Purbeck Local Plan as neighbour amenities would be preserved.

Other Matters

17. I have considered all the comments raised by interested parties, including with reference to the impact of the proposed extension to the heritage assets and also neighbour living conditions, for example. However, for the reasons given above and considering all the evidence before me they do not persuade me that the proposed extensions would be harmful in any respect.

Conditions

18. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance (PPG) and the National Planning Policy Framework. The conditions I have included from the recommended list have been subject to some alterations to improve clarity and ensure consistency with the Framework and PPG.
19. I have attached the standard time limit condition and a plans condition as this provides certainty. I have included conditions to require obscure glazing to a side elevation window and also to restrict more openings in the north east (side) elevation (facing towards Rose Cottage) to ensure an appropriate standard of neighbour living conditions.

Conclusion

20. For the reasons given I conclude that the appeal should succeed subject to conditions.

Mr S Rennie

INSPECTOR

