



Appeal Decision

Site visit made on 14 November 2024

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2024

Appeal Ref: APP/D1265/D/24/3346903

Sentry Cottage, Sentry Road, Swanage, Dorset BH19 2AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Rhubarb Holdings Ltd against the decision of Dorset Council.
- The application Ref is P/HOU/2024/00443.
- The development proposed is first floor rear extension and extended deck to create covered store.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the application the Council adopted the Purbeck Local Plan (2018 - 2034) (adopted 2024) (Local Plan), which replaced the policies in the Purbeck Local Plan Part 1 (adopted 2012). The main parties were provided with an opportunity to comment, and I have taken the comments received into account. I have had regard to the newly-adopted Local Plan in my decision.
3. A revised National Planning Policy Framework (the Framework) was published in December 2024. Having regard to the main issues in this appeal as set out below, the Framework does not raise any new matters which are determinative to the outcome of this appeal.

Main Issues

4. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the Swanage Conservation Area; and
 - the effect of the proposed development on the living conditions of the occupiers of 17A Park Road, with particular regard to outlook.

Reasons

Conservation area

5. The appeal site comprises Sentry Cottage, a modest 2-storey traditional cottage, with a single storey flat-roofed addition to the rear. The site is within the Swanage Conservation Area (conservation area). The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) provides at s72(1) that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

6. The Swanage Conservation Area Appraisal Document (adopted 2008) summarises the special architectural and historic interest of the conservation area, and makes reference to the composite nature of the Swanage townscape which provides interest across several historical periods, and the fusion of architectural forms and styles frequently underscored by the changing application of locally sourced materials (chiefly stone, brick and tile) and vernacular traditions in their construction, and the high number of listed buildings within the conservation area.
7. Due to the topography of Sentry Road, much of which forms the back street to the rear of buildings on Park Road, Sentry Cottage occupies a prominent position in the street scene. Sentry Cottage is identified on the submitted Conservation Area Quality map as contributing positively to the significance of the conservation area. Sentry Cottage contributes to the significance of the conservation area through its historic interest by virtue of its period of construction (between 1926-1938), and through its architectural interest from its traditional materials (including painted stone) and modest form.
8. The proposed development would consolidate development on site, whereas currently the existing flat-roofed extensions to the rear of Sentry Cottage have the appearance of piecemeal development. Even so, the proposed first floor rear extension would be visible for some distance to the north of the site along Sentry Road, and as the first floor element of the proposed rear extension would be set apart from the north elevation of Sentry Cottage, it would appear as an isolated feature in relation to the main section of Sentry Cottage which adjoins Sentry Road and which is of greatest architectural significance when considering the dwelling as a whole.
9. Due to its height and width relative to the north elevation of Sentry Cottage, the proposed first floor rear extension would compete with Sentry Cottage in visual terms. The lack of any notable features of interest apart from a window on its north elevation would serve to emphasise its bulk and massing, which would be considerable in relation to the main section of Sentry Cottage. As such, the proposed first floor rear extension would undermine the modest appearance of Sentry Cottage. This would detract from and weaken the positive historic and architectural qualities of Sentry Cottage, referred to above.
10. Overall, the proposed development would not be well-integrated and harmonious in relation to Sentry Cottage, contrary to the advice given in the Purbeck District Design Guide (Supplementary Planning Document) (adopted 2014) (design guide).
11. Consequently, the proposed development would not preserve the character or appearance of the conservation area. As the harm to the character and appearance of the conservation area identified above would not extend beyond the local area, the proposed development would cause less than substantial harm to the significance of the conservation area as a designated heritage asset, but nevertheless this harm is of considerable importance and weight. The Framework advises that such harm should be weighed against the public benefits of the proposed development.
12. The proposed development would enhance the living accommodation available to the present and future occupiers of Sentry Cottage. However, the social benefit arising from the improvement of the local housing stock would be limited in extent.

As a result, little weight has been given to the public benefits of the proposed development.

13. The Framework makes clear that great weight needs to be given to designated heritage assets' conservation. The public benefits of the proposed development, identified above, would not outweigh the harm that would be caused to the significance of the conservation area.
14. I therefore find that the proposed development would not preserve or enhance the character or appearance of the conservation area. It would conflict with part a. of Policy E12 of the Local Plan which provides that, amongst other things, the Council will expect proposals for all development and other works to demonstrate a high quality of design that positively integrates with their surroundings, and with part b. of Policy E2 of the Local Plan which requires account to be taken of the appearance and character of proposals when assessing applications for proposals that are likely to affect (directly or indirectly) the significance of a designated heritage asset.
15. The proposed development would also conflict with chapter 16 of the Framework which seeks to conserve and enhance the historic environment.

Living conditions

16. I observed that the private amenity area to the rear of 17A Park Road (No 17A), whilst a useable space for recreation, is nevertheless rather hemmed in by the presence of the side elevation of the building situated immediately to the north of that area, and the presence of the exterior walls of the lower ground floor bedroom and ensuite room at Sentry Cottage. The outlook from that space is accordingly constrained.
17. The proposed first floor rear extension would rise above part of the roof of Sentry Cottage and would span across the rear of the patio area at No 17A. It would also noticeably extend beyond the northern boundary of that area. Due to its overall height, width, and massing, directly abutting the private amenity area at No 17A, it would constitute a prominent and overbearing feature, as well as exacerbating the already constrained outlook from that space referred to above, contrary to the advice given in paragraph 39 of the design guide. This would undermine the enjoyment of that space for the occupiers of No 17A, potentially adversely affecting their well-being.
18. I therefore find that the proposed development would have an unacceptable and harmful effect on the living conditions of the occupiers of No 17A, with particular regard to outlook. It would conflict with part e. of Policy E12 of the Local Plan which provides that, amongst other things, the Council will expect proposals for all development and other works to demonstrate a high quality of design that avoids and mitigates any harmful impacts on local amenity.
19. The proposed development would also conflict with paragraph 135 f) of the Framework which provides that, amongst other things, planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

Other Matters

20. I have had regard to the submitted details relating to a grant of planning permission for a kitchen extension and extended deck to create covered store¹. As that application did not involve a first floor rear extension it is not directly comparable with the proposed development. It does not change my findings on the main issues above.
21. The site is within an Area of Outstanding Natural Beauty². In accordance with paragraph 189 of the Framework, I have given great weight to conserving and enhancing the landscape and its scenic beauty. As the impacts of the proposed development would be localised, the proposed development would not be harmful to the wider landscape. The proposed development would therefore have a neutral effect on the landscape and in conserving it, would not conflict with the Framework in this respect. This is a neutral matter, which does not weigh in favour of the proposed development. In coming to this finding, I have had regard to s85(A1) of the Countryside and Rights of Way Act 2000 (as amended), which provides that, amongst other things, a relevant authority must seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty.

Conclusion

22. The proposed development would conflict with the development plan when considered as a whole. The proposed development would provide benefits in terms of improved living conditions for the current and future occupiers of Sentry Cottage, through the provision of work for construction professionals, and from the installation of solar panels. These benefits would not however outweigh the adverse impacts to the conservation area, which is an irreplaceable resource, nor the harm caused to the living conditions of the occupiers of No 17A. Hence, none of the other considerations indicate that this appeal decision should be taken otherwise than in accordance with the development plan.
23. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alexander O'Doherty

INSPECTOR

¹ P/HOU/2024/00699

² Now known as National Landscapes.