

Officer Report

Reference No: P/FUL/2023/07345
Proposal: Proposed single-storey restaurant extension to existing hotel (Grade II Listed Building)
Address: The Pig On The Beach Manor Road Studland Dorset BH19 3AU
Recommendation: To Grant Planning Permission
Case Officer: Emma Macdonald
Ward Members: Cllr Brooks
CIL Liable: N

Fee Paid:	£578.00		
Publicity expiry date:	6 February 2024	Officer site visit date:	1 February 2024
Decision due date:	12 February 2024	Ext(s) of time:	
No. of Site Notices:	1		
SN displayed reasoning:	SN displayed at the entrance to the site. Officers consider that this is sufficient to ensure neighbours are aware of the application.		
Where Scheme of Delegation consultation required under constitution:			
SoD Constitutional trigger:	No		
Nominated officer agreement to delegated decision	Date agreed:	N/A	

Relevant Planning History

6/1980/0721 - Decision: GRA - Decision Date: 20/10/1980
Convert outbuilding to residential unit for staff.

6/1983/0673 - Decision: GRA - Decision Date: 03/11/1983
Form swimming pool and barbeque complex.

6/1989/0427 - Decision: REF - Decision Date: 10/07/1989
Carry out works to convert garage building to cottage.

6/1992/0106 - Decision: GRA - Decision Date: 30/03/1992
Erect conservatory extension.

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- 6/1996/0741 - Decision: GRA - Decision Date: 16/01/1997
Demolish existing staff cottage and erect new staff cottage.
- 6/1997/0270 - Decision: GRA - Decision Date: 19/06/1997
Erect new staff cottage (revised siting).
- 6/2001/0294 - Decision: GRA - Decision Date: 23/05/2001
Alterations to signage by the erection of new and replacement signs.
- 6/2002/0113 - Decision: GRA - Decision Date: 14/05/2002
Refurbishment of existing coach house (Staff accommodation) to three guest suites.
- 6/2002/0114 - Decision: GRA - Decision Date: 14/05/2002
Replacement windows, rainwater goods and internal alterations to convert staff accommodation to three guest suites.
- 6/2003/0917 - Decision: GRA - Decision Date: 27/11/2003
Replace piece of flat roof above kitchen with new slate roof - retrospective.
- 6/2004/0931 - Decision: GRA - Decision Date: 15/11/2004
Renovate existing bathrooms/internal alterations
- 6/2013/0229 - Decision: GRA - Decision Date: 12/06/2013
Demolish existing modern extensions and outbuildings and erect 2-storey extension, replace existing conservatory, erect two dovecote guest suites, treatment room, garden store and glasshouse, alterations to coach house to use as plant and administration block. Modify vehicular access and parking arrangements.
- 6/2013/0230 - Decision: GRA - Decision Date: 12/06/2013
Demolish staff accommodation building, stables and other outbuildings
- 6/2013/0232 - Decision: GRA - Decision Date: 12/06/2013
Demolish existing modern extensions and erect 2-storey extension, replace existing conservatory and make internal alterations. Internal alterations to coach house.
- 6/2016/0473 - Decision: GRA - Decision Date: 28/10/2016
Erect single-storey detached staff changing rooms and detached private dining room.
- 6/2020/0446 - Decision: GRA - Decision Date: 02/02/2021
Erect an extension to the stables to accommodate staff office. Installation of backup generator with fenced enclosure and planted screening.
- 6/2020/0447 - Decision: GRA - Decision Date: 18/12/2020
Internal alterations to existing Coach House to provide staff changing and rest area
- 6/2020/0455 - Decision: GRA - Decision Date: 12/01/2021
Install a new polytunnel

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P/TRC/2022/07567 - Decision: TN - Decision Date: 11/01/2023
T955 habitat stump (tree was subject of previous Section 211 notice to reduce to habitat stump, ref TWA/2020/105, no objection raised 25 November 2020) - Remove to ground level.

P/PAP/2023/00326 - Decision: RES - Decision Date: 13/10/2023
Proposed single-storey restaurant extension to existing hotel (Grade II Listed Building)

Constraints

THE MANOR HOUSE listed building grade G2. HE Reference: 1305155

Grade: II Listed Building: CHURCH COTTAGE List Entry: 1323433.0; - Distance: 20.56

Grade: II Listed Building: THE MANOR HOUSE List Entry: 1305155.0; - Distance: 0

Application is within Studland Conservation Area

Application is within Purbeck Heritage Coast

Application is within Dorset National Landscape (formerly AONB)

Dorset heathlands - 400m heathland buffer, Description: Studland & Godlingston Heaths

Nutrient Catchment Areas

Poole Harbour Recreation Zone

Right of Way: Footpath SE22/2; - Distance: 45.12

Right of Way: Footpath SE22/4; - Distance: 46.64

Existing ecological network (Polygons) - Distance: 0

Higher Potential ecological network - Distance: 0

Natural England Designation - RAMSAR: Poole Harbour (UK11054); - Distance: 3904.71

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 593.24

Wildlife Present: S41 - insect - butterfly

Site of Special Scientific Interest (SSSI) impact risk zone

Scheduled Monument: Bowl barrow 100m north west of Studland Bay House (List Entry: 1014298.0); - Distance: 451.82

Scheduled Monument: Bowl barrow west of Studland Bay House (List Entry: 1014297.0); - Distance: 349.28

Radon: Class: Class 1: Less than 1% - Distance: 0

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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- section 16 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.

Section 72 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 that regard is had to the purpose of conserving and enhancing the natural beauty of National Landscape (AONB)

Development Plan Policies

Adopted Purbeck Local Plan Part 1:

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

- Policy SD – Presumption in favour of sustainable development
- Policy LD – General location of development
- Policy D – Design
- Policy LHH – Landscape, Historic Environment and Heritage
- Policy CO – Countryside

Other Material Considerations

Emerging Dorset Council Local Plan:

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 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.

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However, the production of the Draft Local Plan has significant implications for the assessment of housing land supply.

The emerging Local Plan has reached Regulation 18 of the (Town and Country Planning (Local Planning) (England) Regulations 2012 stage and includes a policies map and proposed allocations towards meeting housing need. Therefore, as detailed under Paragraph 226 of the NPPF (December 2023), for decision-making purposes only, the Council is only required to identify a minimum of 4 years' worth of deliverable housing sites.

The Purbeck Local Plan (2018-2034) Submission January 2019 ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on Proposed Main Modifications and additional consultation on Further Proposed Main Modifications having been undertaken and a further public hearing session held on 19 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).

Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan.

In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but for the reasons set out above these policies should be accorded little weight in the determination of the application:

E1: Landscape

E2: Historic Environment

E12: Design

E4: Assessing flood risk

E10: Biodiversity and geodiversity

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:

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- Section 4 'Decision making': Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed beautiful new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed and beautiful places' indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty (National Landscapes) great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 184). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 205). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 209).

Supplementary Planning Document/Guidance

All of Dorset:

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

District Design Guide SPD

Managing and using traditional building details in Purbeck

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Studland Conservation Area Appraisal

Consultation Responses

Consultation Responses	No Objection	Object	Brief Summary of Comments
Studland Parish Council	ü		
Ward Member(s) – Cllr Brooks	ü		Fully support this application
Conservation Officer	ü		
Dorset AONB Team			Dorset National Landscape Team does not wish to comment on this occasion, due to the scale of the application.
Tree Team			No comments received
Third Parties			No comments received

Officer Assessment

	Yes	No	N/A
1. Does the proposal represent development that requires planning permission?	ü		
2. Has screening under the Environmental Impact Assessment regulations concluded that no assessment is required?			ü
3. Does the area benefit from a 4-year housing land supply and has the housing delivery test been passed?			ü
4. Is the principle of development acceptable?	ü		
5. Would the proposal be compatible with or enhance the character and qualities of the area in which it is proposed?	ü		
6. Would the proposal be compatible with or enhance the built form, height, mass and scale of development in the area?	ü		

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7.	Would the proposal be compatible with or enhance the appearance of the street and area?	ü		
8.	Would the materials, details and features complement the existing built form/be consistent with the general use of materials in the area?	ü		
9.	Would the scale of development be acceptable and avoid overdevelopment of the site?	ü		
10.	Would the proposal ensure the retention of trees at the site and adjacent to the site?	ü		
11.	Has the proposal been designed to prevent overlooking or loss of privacy that would be demonstrably harmful to any of the neighbouring properties and their gardens?	ü		
12.	Has the proposal been designed to respect all other amenities of neighbouring properties? (<i>inc. overbearing impact, loss of outlook, unreasonable loss of light, noise, disturbance or other pollution</i>)	ü		
13.	Has the proposal been designed to provide appropriate levels of amenity for future occupants?			ü
14.	If located within a Special Character Area does the proposal comply with all the design criteria?			ü
15.	Would any proposed change of use be compatible with existing uses in the area and avoid loss of community facilities/protected employment/protected retail/Assets of Community Value/open space/sports facilities/education?			ü
16.	Has the proposal been designed to safeguard any significant wildlife habitats and protected species, or is appropriate mitigation secured where harm has been demonstrated to be unavoidable?			ü
17.	Is the proposal (alone or in combination) unlikely to result in a significant effect on any internationally protected sites?			ü
17.b)	If no, has an appropriate assessment concluded that the development impacts can be fully mitigated?			ü
18.	If sited within an area at risk of flooding, is the application accompanied by an acceptable Flood Risk Assessment or suitable flood prevention measures?			ü
19.	Is the development located in an area with the lowest risk of flooding or is it an allocated site or has the proposal passed the exception test? (<i>N/A for small non residential extensions of <250m and changes of use</i>)	ü		
20.	Does the proposal avoid adverse impact upon highway safety? <i>For former East this may include parking provision.</i>	ü		
21.	If the building lies within the National Landscape (Area of Outstanding Natural Beauty), does the proposal conserve and enhance the landscape and scenic beauty of the National Landscape (AONB)?	ü		

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22. Has the proposal been designed so that it would not adversely affect the setting of any listed buildings, Conservation Areas or areas of special landscape designation (Heritage Coast / National Landscape (Area of Outstanding Natural Beauty)?	ü		
23. If the site is listed or is a non-listed heritage asset, would the proposal preserve the special architectural or historic interest of the building and its setting?		ü See below	
24. If sited within a Conservation Area, would the proposal preserve or enhance the character and appearance of the Conservation Area?	ü		
25. If sited in proximity of a Scheduled Ancient Monument or area of archaeological interest is the development acceptable or can it be made acceptable by condition?	ü		
26. If substantial or less than substantial harm to heritage assets has been identified is this outweighed by public benefits?			ü
27. If sited within the Green Belt, would the development benefit from any of the following exceptions listed in NPPF?			ü
149 c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.			
149 d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.			
150 d) the reuse of buildings provided that the buildings are of permanent and substantial construction			
Other exception- to be explained below			
28. If sited within an area of land instability or coastal regression will the proposal result in any increased risk of ground instability either to the site or surrounding area?	ü		
29. If sited within a known contaminated land site or contaminated land buffer, will the proposal have an acceptable impact on the safety of residents?			ü

Additional assessment

The Pig on the Beach is a Grade II listed hotel and restaurant on Manor Road, on the eastern edge of Studland overlooking Studland Bay. The existing building has pebble dashed rough cast rendered elevations under a Purbeck stone tiled roof. The building is set in large, landscaped grounds with associated structures, staff accommodation and parking. It currently provides 18 letting rooms in the main hotel,

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3 in the coach house and 2 staff bedrooms. Existing vehicular access is off Manor Road, close to its junction with Beach Road. Pedestrian access is direct from the Manor Road frontage.

The site lies within the Studland Conservation Area, Dorset Area of Outstanding Natural Beauty and Purbeck Heritage Coast.

Planning permission is sought for the erection of a single storey restaurant extension. This application follows pre-application advice (P/PAP/2023/00326) during which alternative layouts were considered and advice given by Dorset Council's Conservation Officer regarding the most appropriate and sympathetic development to the architecture of the existing building.

Principle of development

The site is located outside of the settlement boundary within the open countryside as defined in the Purbeck Local Plan (PLP). Policy CO 'Countryside' of the PLP seeks to protect the countryside from inappropriate development. Development outside of a settlement boundary, within the countryside, should aim to improve the sustainability of rural settlements, make a positive contribution to landscape character, and enhance biodiversity. Development in the countryside will be permitted where it does not have a significant adverse impact either individually, or cumulatively on the environment, visually or from traffic movements. These matters will be considered further below.

Policy CO sets out a series of circumstances where development outside of a settlement boundary may be permitted. Relevant to this proposal is where it comprises the extension of a rural building and where it is an employment use that would intensify or expand an existing employment site, or a tourism use ideally well related to a complex of buildings. In terms of the latter, the restaurant extension proposed is considered to accord with this element of the policy.

The policy goes on to require that extensions do not result in a disproportionate addition over and above the size of the original building and not detract from the character or setting of the original building. The site has a long planning history, with a number of alterations. The Design and Access Statement that has been submitted to support this application sets out that the current proposal, combined with past developments, would result in a volume increase of 16.6% of the original building. Officers consider that this is a proportionate addition in relation to the original building and its scale would not detract from the character and setting of the original building in accordance with Policy CO. Further consideration is given below regarding the design of the proposed extension and its impact on the character of the heritage assets.

Overall, the principle of extending the restaurant is considered acceptable, subject to all other material considerations.

Impact on the character of the area and heritage assets

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Given the scale, nature, design and location of the extension to the south, set back from the principal elevation officers do not consider it will have an adverse impact on the character of the area, views from the coastal path or the Conservation Area. It is also not considered that the proposal will result in harm to the natural beauty of the countryside including the wider landscape character of the Dorset National Landscape (formerly AONB).

Dorset Council's Conservation Officer provided comments at pre-application stage. It was considered that the submitted proposal respected the original extension by virtue of its design. The existing extension wall is proposed to be removed, to allow a better visual connection between the two preventing the character of the extension being read as an obvious new extension, which will better preserve the setting of the heritage asset, and wider Conservation Area. The submitted proposal follows these principles.

The NPPF states that great weight should be given to an asset's significance, and this weight must be balanced against the optimum viable use and public benefit. Although the proposal will extend the footprint of the extension, this will enable the restaurant to continue as a busy restaurant which will create a sustainable future for the business.

Therefore, it was concluded that although there will be some harm to the character of the listed building, the public benefit for the restaurant and visitors was considered to outweigh this harm. Accordingly, the proposal was considered in accordance with Policy LHH 'Landscape, Historic Environment and Heritage' of the Purbeck Local Plan.

Dorset Council's Conservation Officer has been consulted on the current application and has confirmed that the proposals reflect the pre-application advice provided and therefore has no objection to the proposed extension from a hesitate perspective.

The new extension will be constructed from materials to match the existing restaurant, this is considered acceptable and will be conditioned to ensure the character and appearance of the heritage asset is preserved.

Impact on neighbouring amenity

The nearest residential properties are Church Cottage, over 80m to the south and Phippen and Manor Cottages to the north, separated from the proposed extension by the hotel building.

Given the separation distances and mature tree screening along Manor Road officers do not consider that the proposal will give rise to any significant impacts in neighbouring amenity in terms of overlooking or loss of privacy in accordance with Policy D 'Design' of the PLP1.

Although the proposal will increase the capacity of the restaurant, given the scale of the extension and the relationship with the neighbouring properties any increased noise and disturbance is likely to be limited.

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Biodiversity

It is a requirement of all development to make use of opportunities to enhance the natural environment, as stated in the NPPF, paragraphs 8, 174 and 180 and biodiversity enhancement will shortly become a legislative requirement. It is reasonable to secure a proportionate level of biodiversity enhancement through a condition.

Impact on trees and landscaping

The restaurant is surrounded by landscaped grounds. No changes to these grounds are proposed as the footprint of the extension will replace an existing paved area. It is proposed to fence off the working area during works to ensure existing trees and landscaping features are protected. It is reasonable to condition the fencing of the working area to ensure the protection of the surrounding landscape in accordance with Policy D 'Design' and Policy LHH 'Landscape, Historic Environment and Heritage' of the PLP1.

Highway/access and parking

Access and parking arrangements will remain unchanged, with those using the restaurant parking in the hotel's existing car park.

The supporting information explains that during busier periods when on-site parking has reached capacity, the hotel management team already have an agreed strategy in place with the National Trust for non-residential guests to be directed to use Middle Beach car park a few metres from the hotel. This is considered acceptable and will avoid the need to create additional parking which may have an impact on the landscape.

Surface water drainage and coastal stability

The site is within 400 metres of the coastline. Purbeck Local Plan Policy CE 'Coastal Erosion', requires that in this location development must demonstrate how surface water can be discharged without adding to the ground water levels with the consequential detrimental effect on coastal stability.

Given the nature of the development there will be no change to existing methods of surface water discharge.

Conclusions

The proposal is considered to accord with Policy CO 'Countryside', Policy D 'Design' and Policy LHH 'Landscape, Historic Environment and Heritage' of the PLP1 and the NPPF.

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	Yes	No
Having regard to your answers to all the preceding questions, is the application considered to be acceptable?	ü	

Recommendation: Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - L1 The location plan
 - 1101 Site/Block Plan - Existing
 - 1111 Block plan of the site
 - 2101 Proposed Floor plan
 - 2102 Roof Plan - Proposed
 - 2103 Roof Plan - Proposed
 - 3101 Elevation (Front) - Proposed
 - 3102 Elevation (Side) - Proposed
 - 4101 Section - Proposed
 - 4102 Section - Proposed

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to any groundwork's the area hatched orange on drawing 5846/1120 must be fenced. No works or storage of materials shall take place outside of the fenced area. Protective fencing shall be retained for the entire duration of construction works and building operations.

Reason: To ensure that trees and landscape features are retained and adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.

4. The external materials to be used for the walls, roof, doors, windows and rainwater goods shall be similar in colour and texture to the existing building.

Reason: To ensure a satisfactory visual appearance of the development and to preserve or enhance the character and appearance of the heritage asset.

5. At least one bat and/or bird box shall be erected prior to first occupation or use of the development hereby approved.

Reason: To enhance or protect biodiversity.

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Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

Case Officer Signature:	Emma Macdonald	Authorising Officer Signature:	Nikki Clayton
Date:	08 February 2024	Date:	12 February 2024