The Planning Inspectorate

Appeal Decision

Site visit made on 11 July 2017

by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26th July 2017.

Appeal Ref: APP/P1235/W/17/3173484
86A Knightsdale Road, Weymouth DT4 0HX

- 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 Berry against the decision of Weymouth & Portland Borough Council.
- The application Ref WP/16/00841/FUL, dated 21 October 2016, was refused by notice dated 27 January 2017.
- The development proposed is conversion and extension to provide a dwelling.

Decision

1. The appeal is allowed and planning permission is granted for conversion and extension to provide a dwelling at 86A Knightsdale Road, Weymouth DT4 0HX in accordance with the terms of the application, Ref WP/16/00841/FUL, dated 21 October 2016, 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: Location Plan, Site Plan, and Proposed Dwelling (2904:002).

    3) No development shall commence which involves the use of external materials until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

    4) Prior to the occupation of the dwelling details of the boundary treatments for the site, including the positions, design, materials, and heights, shall be submitted to and approved in writing by the local planning authority. The boundary treatments shall be erected in accordance with the approved details prior to the occupation of the dwelling.

    5) 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 enlargements to the dwellinghouse consisting of an addition or alteration to the rear or the roof shall be erected other than those expressly authorised by this permission.

Main Issue

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

Reasons

Character and appearance

3. Knightsdale Road is a residential area characterised by 2 storey dwellings which are a range of detached and semi-detached houses and some short terraces. The properties are set back a little from the road. The appeal site contains a single storey garage building. It has a pitched roof which, from the front, is hidden behind a parapet wall. The width of the plot is a little narrower than the houses. The building on the appeal site is an anomaly being the only detached single storey building in the street. Nevertheless it forms part of the established street scene and the locally distinctive character of the area.

4. The appeal scheme would convert the building to a single bedroomed property. From the front the dwelling would have a very similar appearance to the existing building with no changes to its scale, or the separation between it and the neighbouring houses. The development would result in very little change to the existing built form; it therefore would not appear cramped or contrived. The building would appear a little more residential in character, with the domestic style door and from the comings and goings and general daily use of the building as a home. This would not be out of keeping in a residential area and the established street scene would be largely unaltered.

5. A single storey extension is proposed to the rear, this would extend back a similar distance to the rear walls of the adjoining neighbouring properties and it would appear in keeping with the form and character of the existing building.

6. I therefore conclude that the development would not result in harm; rather it would be in keeping with the established locally distinctive character of the area. It would comply with Policies ENV10 and ENV12 of the West Dorset, Weymouth & Portland Local Plan which seek to ensure development achieves high quality design that is informed by the character of the site and its surroundings and contributes positively to the maintenance of local identity and distinctiveness. It would also align with the aims of the National Planning Policy Framework (the Framework) to reinforce local distinctiveness.

Other matters

7. I note some concerns that the building may be demolished rather than converted. However, both the description of development and the design and access statement confirm that permission is sought for the conversion of the building.

8. The rear of the development, as extended, would be set in a similar position to the rear of both adjoining neighbouring properties. While these may not have been the original rear walls of the main living areas, the relationship of the extension would be similar to extensions on existing buildings and it would not result in an overbearing impact for the occupiers of either neighbouring dwelling. Patio doors are proposed at the rear. This would provide an outlook similar to that commonly found in residential properties in the locality and as such there would not be significant impacts on the degree of privacy for the occupiers of the neighbouring dwellings.

9. Parking would not be provided on site; however the dwelling would only increase the demand for on-street parking very modestly. As the building would no longer be used as a garage the parking demand would be offset to a

degree as the space to the front could become available for general on-street parking. While there are some existing parking pressures in the area, the development would not increase this demand to a harmful degree.

10. Bins, recycling, and garden waste would need to be carried through the house. This is not an uncommon scenario and, mindful that the property is small and would not be a family home, I consider that this is acceptable. There would be some effects on neighbouring residents in terms of noise and disturbance during the construction period. However this would be for a limited period and the impacts would not be significantly harmful.

11. Separate legislation is in place to deal with matters such as access to neighbouring land for construction and maintenance, party walls, foundations, potential impacts on the existing sewer, and to deal with any potentially hazardous materials such as asbestos. Concerns have also been raised in respect of details on the application form relating to trees, hedges, and non-residential floor space, as well as the lack of pre-application consultation with the Council or neighbours. However these factors do not alter the acceptability of the scheme on the substantive planning matters and they do little to weigh against the development.

12. The evidence before me suggests that the Council is unable to demonstrate a five-year supply of deliverable housing sites, albeit only by a very small margin. In these circumstances, having regard to paragraphs 49 and 14 of the Framework, this means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted. I have found no significant harm would arise from the development, and the benefits that would arise from an increase in the housing supply weighs in favour of the development.

Conditions

13. I have imposed a condition specifying the relevant plans as this provides certainty. Given the scheme involves conversion it will be necessary to ensure a suitable match can be achieved; I have therefore imposed a condition to require that samples of external material are approved by the Council. In the interests of the character of the area and the living conditions of neighbouring residents a condition to remove the permitted development rights for further rear or roof extensions is necessary. The provision of suitable boundary treatments is necessary to ensure existing and future occupiers have private garden space at the rear. I have amended the wording of the suggested conditions for clarity and to meet the tests in the Framework.

Conclusion

14. For the above reasons, I consider that the development accords with the development plan when taken as a whole. I conclude that the appeal should be allowed.

K Taylor

INSPECTOR