
Appeal Decision

Site visit made on 5 November 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2019

Appeal Ref: APP/D1265/D/19/3235778

Beehive Cottage, 3 River Lane, Charlton Marshall DT11 9NZ

- 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 & Mrs Luckham against the decision of Dorset Council.
 - The application Ref 2/2019/0643/HOUSE, dated 7 May 2019, was refused by notice dated 29 July 2019.
 - The development proposed is described as 'conservatory to side of property'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and the Charlton Marshall Conservation Area (CMCA).

Reasons

3. The host building is a well-proportioned, 2-storey semi-detached property. It is set back from the main road and largely surrounded by development along the A350 and River Lane frontages. The walls are constructed from a traditional brick bonding with flint detailing and brick headers to the fenestration. The roof is covered with plain clay tiles, has a half-hip detail and a prominent brick chimney. These features generate a pleasing character and appearance to this historic building within the CMCA. The traditional local materials and the architectural and building detailing of the area, such as can be seen on the host building, contribute to the significance of the CMCA at this point.
4. I have noted the use of white uPVC window frames on the host building, and black uPVC for the gutters, downpipes and soil pipe. However, overall, these modern materials have not significantly diminished the character and appearance of the host building.
5. I have noted the more widespread use of white uPVC on other period buildings within the CMCA including on guttering, downpipes and fascias. Furthermore, some of these examples are in more prominent positions than the host building. Additionally, I have observed white uPVC conservatories on more modern housing within the CMCA. However, I found these examples of conservatories to be limited within the immediate environs of the appeal site. Furthermore, none appear the same as proposed here in design or context. Therefore, I do not consider that the existence of white uPVC necessarily sets a precedent for further application of non-traditional materials such as sought

here. Moreover, it does not outweigh the statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which is a matter of considerable importance and weight in decision making. This requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

6. The proposed conservatory would be located on the south elevation of the host building. It is the elevation first seen by visitors to the property as the dwelling is approached from the south by a gap in the built-up frontage of River Lane. This gap frames views of the south elevation from River Lane, sections of the A350 and parts of The Charlton Inn's beer garden. Therefore, whilst views are glimpsed, I consider that this elevation is important and visible. The simplicity of it with its exposed traditional brick bonding, aligned windows and brick header details positively contributes to the character and appearance of the host building and to the CMCA.
7. The proposal would obviate these details at ground floor level and impose a structure that in terms of both form and materials would appear discordant. The expanse of floor to ceiling glass across much of the width of the south elevation's ground floor, the shallow pitched roof, and white uPVC framing would all erode the character and appearance of the host building and the CMCA. The proposal would appear overtly modern and without any design merit within an attractive and traditional context. Given that the proposals are to an elevation that I have identified as important, I find that the siting significantly contributes to the detrimental impact of the proposal and its incongruous appearance.
8. Policy 5 of the North Dorset Local Plan Part 1 (2011-2031) January 2016 (LP). amongst other aims seeks to protect the character and appearance of heritage assets and places great weight on the conservation of designated assets. This is consistent with paragraph 193 the National Planning Policy Framework (the Framework). I consider that the identified harm to the CMCA would be less than substantial. Whilst I note the appellant's desire to improve their living conditions with additional accommodation, I do not find any public benefit to outweigh such harm. Furthermore, policy 24 of the LP amongst other aims seeks the design of proposals to reflect local context and improve the character and quality of the area. I consider that the proposal fails in this regard for the reasons set out above.
9. In conclusion, the proposed development would by reason of its siting, form and materials appear incongruous, harmful to the character and appearance of the host building and the CMCA. This would be contrary to policies 5 and 24 of the LP and sections 12 and 16 of the Framework. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR