



Appeal Decision

Site Visit made on 21 September 2021

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2021

Appeal Ref: APP/D1265/D/21/3277712

27 Clay Lane, Beaminster DT8 3BX

- 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 Brian Palmer against the decision of Dorset Council.
 - The application Ref WD/D/20/002909, dated 6 July 2020, was refused by notice dated 20 April 2021.
 - The development proposed is demolition of existing porch and erection of a conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing porch and erection of a conservatory at 27 Clay Lane, Beaminster DT8 3BX in accordance with the terms of the application, Ref WD/D/20/002909, dated 6 July 2020, and the plans submitted with it, 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: TQRQM20188211419384 – Site Location Plan; Present block plan showing porch to be demolished; Present block plan showing proposed conservatory; Plan of existing house with new conservatory; North elevation showing proposed new conservatory; South elevation showing proposed new conservatory; West elevation showing proposed new conservatory; West elevation showing proposed new conservatory with colours.
 - 3) Development shall not proceed above damp-proof course level until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details.

Preliminary Matter

2. I have used the description of the development from the Council's decision notice, which accurately describes the proposal, and is more concise than that provided on the application form.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the dwelling, and whether it would preserve or enhance the character or appearance of the Beaminster Conservation Area.

Reasons

4. 27 Clay Lane is a historic two-storey detached house of stone construction, which lies close to the road leading into the centre of the village from the west. It is an attractive building of traditional form and materials. The west elevation, overlooking the walled garden, is particularly notable, being of symmetrical design, with a central gable, and exhibiting some fine architectural detailing. The Council's description of the building as a non-designated heritage asset is not contested by the appellant. Paragraph 203 of the National Planning Policy Framework (the Framework) advises that the effect of development on non-designated heritage assets should be taken into account in determining applications, and a balanced judgement will be required, having regard to the scale of any harm and the significance of the heritage asset.
5. The site lies within the Beaminster Conservation Area (the CA), which derives its significance from, amongst other things, strong entry points into the CA; the importance of stone walls in defining road lines; and a significant quantity and quality of 18th and 19th century architectural details. Lying alongside one of the main approach roads into the historic heart of the CA, surrounded by a stone roadside wall, and displaying period architectural detailing, the house makes a positive contribution to the significance of the CA.
6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
7. The proposal involves the demolition of an existing porch, which is centrally located on the western elevation. It would be replaced with a conservatory comprising of a central porch under a tiled roof, with a lean-to glazed roof extending across the southern part of the elevation. The evidence indicates that, during the application, a number of amendments were agreed with the appellant, including a hipped tiled roof to the porch element; the use of an aluminium frame rather than UPVC; and using the stone from the existing porch, rather than hamstone, for the walls. Whilst the hipped roof is shown on the drawings, the materials are not specified.
8. The central porch element would be similar in width and height to the existing porch, with a hipped roof that could be covered in similar tiles. Therefore, although it would project an additional metre forward of the main building, this would not be readily apparent in most views, and it would remain a subservient feature of the overall elevation. It would project further than the lean-to conservatory, and its tiled roof would have a more solid appearance. As a result, the apparent symmetry of the elevation would be retained, as the central porch would be visually more prominent, and the largely transparent conservatory would recede, whilst also allowing the form of the main building to be visible through the glazing. Consequently, the overall balance of the house would be retained, and its architectural detailing would be preserved. Subject to the use of appropriate materials, there would be no harm to the significance of the non-designated heritage asset.

9. The existing porch is not a prominent feature in the CA, as it is largely screened from public view by the stone boundary wall and vegetation. The apex of the roof is just visible in views from the opposite side of the road, when approaching from the west. The proposed porch and conservatory would be the same height, so would be equally well concealed, and the increased projection would make little difference in this regard. In closer views, from the pavement directly opposite the site, the proposed conservatory would be completely hidden by the large magnolia tree just behind the boundary wall. When walking on the pavement on the same side of the road, the conservatory would only be glimpsed through the vegetation on top of the wall. It would not be a prominent feature in the street scene.
10. The upper section of the western elevation of the house is quite prominent in views from the west, where it can be seen in the context of other historic buildings on the same road frontage. Its form, materials, and architectural features are consistent with the other buildings in the street scene, and the overall composition is characteristic of the CA in general. The existing porch does not feature prominently in these views, and its proposed replacement would be no more intrusive. The positive contribution that the house currently makes to the significance of the CA would, therefore, be unaffected.
11. For these reasons, I conclude that the proposal would not harm the character and appearance of the dwelling or the CA. It would, therefore, accord with Policies ENV4, ENV10 and ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015), which seek to conserve the significance of heritage assets; maintain local identity and distinctiveness; and secure high-quality design. The proposal would also accord with the guidance in the Council's Design and Sustainable Development Planning Guidelines Supplementary Planning Document (2009), which has similar aims. The Framework's aims of achieving well-designed places and conserving and enhancing the historic environment would also be met.

Conditions

12. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty to all parties.
13. The Council has suggested a condition requiring details of all UPVC framing to be submitted for approval. However, the evidence indicates that the appellant has already agreed to the use of aluminium framing. Nevertheless, as the materials are not detailed on the drawings, I have imposed a condition requiring all materials to be submitted for approval.

Conclusion

14. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR