

Appeal Decision

Site visit made on 30 November 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2021

Appeal Ref: APP/D1265/D/21/3278241

11 Furlands, Portland, Dorset DT5 2LH

- 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 Miss Sharon Hicks against the decision of Dorset Council.
 - The application Ref WP/20/00927/FUL, dated 11 December 2020, was refused by notice dated 19 April 2021.
 - The development proposed is extension to 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 area, with reference to the setting of the Weston Conservation Area (CA)

Reasons

3. 11 Furlands is an end of terrace dwelling. Houses within the terrace are in the Radburn style, with rear elevations facing the public highway to the north, and their principal elevations abutting a public footpath and overlooking open green space to the south which is within the CA. The terrace is one of four which are aligned and share this southerly aspect. No 11 is next to an intersection of two footpaths which demarks an important gateway point into the CA.
4. There is a tangible design consistency across the front of the terraces, which have a shared building line, dotted with modest porches. Whilst some of the gardens contain outbuildings and are bound by higher fences and walls, most gardens are open and walls low. This provides an important interplay between the open green space, the gardens and the strong delineation of the terracing. These attributes are keenly apparent from the footpaths which pass No 11 and cause the terraces to make a positive contribution to the setting of the CA.
5. The extension would be an unwelcome addition to this context, incongruous to the Radburn design of the dwelling, as it would step forward of and therefore compromise the building line. Given its placement and relative scale, it would also diminish the relatively uncluttered uniformity of the terrace frontage.
6. As I have found that the extension would be a harmful addition to No 11, it follows that it would also cause less than substantial harm to the setting of the CA. The National Planning Policy Framework (the Framework) states that any such harm falls to be weighed in the balance with the public benefits of the development. No public benefits have been ventured in the scheme's favour.

7. The appellant has referred to other front extensions which have been constructed within the wider Radburn housing development, at 2 and 32 Furlands. However, given the character of Radburn houses, I do not consider that these necessarily establish positive design precedents. They also differ in that they do not have a role in contributing to the setting of the CA. For these reasons, they do not serve to justify the harm that would arise in this case.
8. Accordingly, I conclude that the proposal would have an unacceptable effect on the character and appearance of the area, with reference to the setting of the CA. It would conflict with the heritage and design aims of Policies ENV4, ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (adopted 2015), Policy port/EN7 of the Neighbourhood Plan for Portland 2017-2031 (made 2021) and the Framework.

Other Matters

9. Reference has also been made to the procedural conduct of the Council during the planning application, in relation to other development in the area, and potential errors in the drafting of the Council's officer report. However, these matters are not germane to my assessment, which focuses on the planning merits of the appeal proposal. The absence of objections from the local ward member, certain consultees, and third parties, and the absence of harm to the living conditions of neighbouring occupants, are neutral factors in the balance.

Planning Balance and Conclusion

10. Consequently, the scheme would conflict with the development plan when read as a whole and there are no other considerations which outweigh the conflict.
11. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR