



Appeal Decision

Site visit made on 25 January 2023

by J Evans BA(Hons) AssocRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st February 2023

Appeal Ref: APP/D1265/D/22/3311744

46 Kings Road, Sherborne DT9 4HX

- 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 Steve Jones against the decision of Dorset Council.
 - The application Ref P/HOU/2022/01057, dated 17 February 2022, was refused by notice dated 31 August 2022.
 - The development proposed is described to Erect two storey side extension & single storey rear extension, (demolish existing rear extension). Install loft conversion. Erect new entrance porch.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's Householder Application Report states that the appeal site is located within the Sherborne Conservation Area (the CA) and the decision notice refers to a conflict with policies¹ relating to heritage assets. However, the Council's Appeal Questionnaire states that the appeal site is not within the CA. Further the appellant has also submitted that the site is not within the CA.
3. Consequently, I sought clarity from the Council on this matter, who confirmed that the site is not within the CA and provided me with a copy of the CA boundary which shows that the CA at its closest point is situated approximately 50 metres away from the southern edge of the appeal site. Therefore, I am satisfied that the site is not within the CA, but nonetheless, as part of my appraisal, I have considered the effects of the appeal proposal on the setting of the CA.
4. During my site visit I observed building works taking place on the adjacent property at no.44 Kings Road. As I considered these works could be material to the context of the appeal site and the appeal proposal, I sought copies of the relevant planning decision, plans and documents ² from the Council.

¹ Policy ENV4 of the West Dorset, Weymouth and Portland Local Plan (2015) and Paragraph 202 of the National Planning Policy Framework (2021).

² WD/D/18/000185 Erection of single storey rear extension, alterations to front elevation and internal alterations - 44 Kings Road, Sherborne DT9 4HX

Main Issue

5. The main issue in this case is the effects of the development on the character and appearance of the appeal site and the wider area, including the setting of the CA.

Reasons

6. Kings Road is a pleasant residential street, consisting of a linear run of properties on either side, which at the eastern end in the context of the appeal site, have a consistency in terms of a two-storey scale, use of materials and spatial arrangements to Kings Road. Nonetheless there are variations in terms of the form, design detailing and appearance of these properties. No.46 Kings Road is particularly reflective of this, incorporating a part hipped roof and front bay windows, which differs to the form and appearance of the properties to either side and other wider buildings. These variations add interest, and no 46 forms part of the positive characteristics I found on Kings Road.
7. The appeal proposal seeks to provide for a side extension to no. 46 following the same form of the host property, with similar design detailing. The proposal also seeks to construct an entrance porch to the front elevation, a single storey extension to the rear and a dormer window to the rear roof slope.

Effects on the CA

8. 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.
9. From my site visit I could find no appreciable link between the appeal site and the CA. At one point, when looking in the direction of the appeal site from within the CA to the south, I could see the rear roof slope of no.46 through a narrow gap of properties situated to the northern side of the A30. However, this was a short transient view, with numerous other buildings perceived in the same context. The only conceivable components of the appeal proposal visible from this vantage point would be part of the roofline of the side extension and the rear dormer, both of which would be lost amongst the surrounding context with no discernible effect upon the special character of the CA. Elsewhere from within the CA, I could not find any other possible vantage points of the appeal property, but even if this was the case, the circumstances would be similar to the above, whereby the appeal proposal would not be readily perceived in the context of the CA itself.
10. Due to the separation from the CA boundary and the limited opportunity to perceive the appeal proposal from within the CA, I therefore conclude that the proposal would preserve the character and appearance of the CA. It would not conflict with Policy ENV4 of the West Dorset, Weymouth and Portland Local Plan (2015) or Section 16 of the National Planning Policy Framework (2021) in this regard.

Effects upon the Character and Appearance of the Area

11. Notwithstanding my conclusions above, Policies ENV10 and ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015) require development proposals to be informed by the character of the site and its surroundings; and that any

alterations to or extensions of buildings should be well related to and not overpower the original building.

12. In my view, by following the form and appearance of no.46, the proposed side extension would overwhelm the property as it is presently appreciated from Kings Road and once constructed it would be difficult to distinguish the original building from the latter addition. As I have set out above, no. 46 provides a positive contribution to the street scene. This component of the appeal proposal lacks subservience and would be harmful to the character and appearance of no.46 and the wider area.
13. In reaching this view, I have taken account of other two storey side extensions along Kings Road and other householder adaptations, some of which have been better executed than others. However, none of these developments are directly comparable to the circumstances of the proposal before me and therefore have little bearing on my appraisal.
14. With regard to the other components of the appeal proposal, such as the front porch, side extension and rear dormer window, I consider these alterations will have little effect upon the character and appearance of the area, due to their limited scale and appearance, and with regard to the rear additions, their limited visibility from public vantage points.
15. Ultimately, whilst I have found no harmful effect on the CA and I have no objections to a number of the elements which form part of the appeal proposal, the side extension as proposed, would lack subservience and would represent an overly dominant addition. It would override the prevailing characteristics of the appeal property and that of the wider street scene.
16. For the above reasons, I find conflict with Policies ENV10 and ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015) and Section 12 of the National Planning Policy Framework (2021).

Conclusion

17. For the reasons given above, having regard to all matters raised, I conclude that the appeal should be dismissed.

J Evans

INSPECTOR