



Appeal Decision

Site visit made on 13 February 2024 by Thomas Courtney BA(Hons) MA MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 April 2024

Appeal Ref: APP/D1265/D/23/3331298

53 Rodwell Road, Weymouth, Dorset, DT4 8QX

- 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 Parker against the decision of the Dorset Council.
 - The application Ref P/HOU/2023/03040, dated 15 May 2023, was refused by notice dated 27 July 2023.
 - The development proposed is a two-storey extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Government has published a revised National Planning Policy Framework (December 2023) (the Framework). I have had regard to this document in reaching my conclusions.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the local area and the setting of the nearby Grade II listed buildings at Nos 36 and 48 Rodwell Road.

Reasons for the Recommendation

5. The appeal site comprises a two-storey detached dwelling situated on a corner plot at the junction between Rodwell Road (A354) and Rodwell Avenue within an established residential area. The house sits at a lower height than Rodwell Road given its dug-in position within a slope. Facing the appeal site, on the western side of Rodwell Road, are two Grade II listed buildings at Nos 36 and 48.
 6. As the proposal relates to the setting of two listed buildings, the statutory duty at section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), requires that special regard shall be paid to the desirability of preserving the setting.
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7. The nearby listed buildings date from the 18th Century and 19th Century. No 36 was first listed in 1974 and is described as a small but characteristic late 18th Century house featuring a mansard double roof with central valley, red brick in Flemish bond, and a slate roof. No 48 dates from the early to mid-19th Century. It is rendered and features a slate roof, a double mansard and full height canted front bay windows with glazing bar sashes. Given the above, I find that the setting of these buildings, insofar as it relates to this appeal, to be primarily associated with Georgian era architecture. The listed buildings and nearby buildings along Rodwell Road contribute to the historical and cultural significance of the area.
8. Whilst the appellant states that the proposed extension is appropriately scaled, it would appear bulky given its excessive footprint and height and would fail to be subservient to the host dwelling. Viewed from Rodwell Avenue, the extension would appear wider than the existing front northern elevation and would have a distinctive lack of fenestration. It would look incongruous and would unbalance the architectural form of the existing house.
9. The development would project westwards towards the boundary with Rodwell Road, occupying what is now the side garden. This would significantly increase the visibility of the building. The bland and awkward appearance of the development as well as its bulky proportions would feature prominently in the streetscene and read as an intrusive and incongruous addition. In this regard, I disagree with the appellant's suggestion that the appeal proposal would be in-keeping with the surrounding urban form.
10. The development would draw the eye away from the attractive historical built form on the opposite side of Rodwell Road. Its appearance would be obtrusive and would erode the immediate setting of the Grade II listed buildings at Nos 36 and 48 Rodwell Road.
11. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. The proposed development would constitute a discordant and incongruous addition that would jar with the historical character and setting of the listed buildings. It would thus distract from the significance of these assets. Given the small scale of the development, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
12. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appeal statement highlights that the development would increase the size of the lounge and provide a more private amenity space to the rear of the property. However, these are clear private rather than public benefits that do not lend any weight in support of the scheme, and would not outweigh the harm identified above.
13. Given the above and in the absence of any substantiated or significant public benefit, I conclude that the proposal would harm the character and appearance of the area and fail to preserve the setting of the nearby Grade II listed buildings. This would fail to satisfy the requirements of the Act, paragraph 203

of the Framework and conflict with Policies ENV4, ENV10, and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015) that seek, among other things, to ensure proposals are well designed and preserve the significance of listed buildings. As a result, the proposal would not be in accordance with the development plan, and I find these policies to be consistent with the policies in the Framework.

Other Matters

14. The appeal statement makes reference to a previous scheme at the site for the demolition of the existing house and the erection of six apartments (application reference WP/19/00699/FUL) approved in 2020. It states that the impact of the appeal proposal on the streetscene and setting of the listed buildings would be lesser than the impact of the previously approved scheme. However, these schemes differ markedly and are not comparable given their difference in scale, form, architectural style, and overall circumstances. Whilst I acknowledge that the apartment scheme would be taller than the appeal proposal, this does not alter my view that the proposed development is poorly designed and would have an adverse impact on the streetscene and the setting of the nearby listed assets. In any case, each case should be assessed on its own merits.
15. I also note the appellant makes reference to discussions that were held with the Council during the application phase, but this is not a matter that is relevant to my assessment of the scheme before me.

Recommendation

16. I have found that the proposal would have an adverse impact on the character and appearance of the surrounding area and would fail to preserve the setting of the nearby Grade II listed buildings. It would therefore conflict with the development plan when taken as a whole, and additionally conflict with The Framework.
17. For these reasons, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR