



Appeal Decision

Site visit made on 10 February 2025

by **Megan Thomas K.C.** Barrister-at-Law

an Inspector appointed by the Secretary of State

Decision date: 27 February 2025

Appeal Ref: APP/D1265/D/24/3352734

39 St Andrews Avenue, Weymouth DT3 5JS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Gordge against the decision of Dorset Council.
 - The application ref. is P/HOU/2024/03994.
 - The development proposed is the erection of rear and side two storey extensions and enlargement of the porch.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of rear and side two storey extensions and enlargement of the porch at 39 St Andrews Avenue, Weymouth DT3 5JS in accordance with planning application ref.P/HOU/2024/03994 dated 25 March 2024 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following plans numbered: 2904-543/002 rev A, 2904-543/003 rev A & 2904-543/001 rev A.
 - 3) No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 - 4) Prior to the extensions hereby permitted being brought into use, the first floor bathroom and en-suite window on the proposed rear south west elevation shall be obscurely glazed to a minimum industry standard of obscurity Level 3, and shall thereafter be retained as such.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

Reasons

3. The appeal site is situated in a large residential estate within a Defined Development Boundary. It is located at the south west end of St Andrews Avenue orientated so that it looks

north eastwards over a turning head and up the Avenue. There is a public right of way alongside the northwestern side of the appeal site and this cuts through to another residential road called Hetherly Road. St Andrews Avenue has a variety of differently styled houses, with brick and rendered walls, timber and upvc cladding with a mixture of brown and white upvc double glazed units.

4. To the north west of the right of way is 38 St Andrews Avenue and to south east of the appeal site is no.40. No.40 has a large offset rear extension.
5. The appeal dwelling is detached with two storeys and an attached single storey garage adjacent to the right of way. Both the house and the garage have pitched roofs. The house has a rear single storey conservatory.
6. The appeal scheme seeks to erect a rear and side two storey extension to the property. It would essentially wrap around the main house to provide a store/utility and enlarged lounge, dining, kitchen area on the ground floor with an additional bedroom and ensuite space at first floor.
7. The proposal would add bulk and mass to, amongst other things, the garage side of the house with an extension which would continue the ridge height of the main house. Whilst that design can sometimes make a dwelling appear elongated and awkward, in this case the resulting dwelling would not look unduly long or overbearing. There are a number of properties in the immediate area where the frontages and roof ridges are of a similar resulting length (after extension works), and do not, in my view, result in an unduly dominant building or disharmony in the streetscene. For example, 7, 18, 37 and 41 St Andrews Avenue have been extended in a broadly similar fashion. The proposal would be no closer to the right of way than the existing garage and would not result in an unduly wide or dominant structure. The remaining private amenity space in the rear garden would be acceptable and useable. The scheme would be an effective use of urban land.
8. The experience of walking on the right of way would be different as the proposed flank wall would be significantly higher and deeper (about 8m deep) in comparison to the existing garage wall which directly abuts the right of way and is single storey only. However, the whole of the flank wall would not directly abut the path and the path itself is not unduly narrow or hemmed in by the flank wall of no.38 St Andrews Way on the north western side. Furthermore, the path would be safe to use, and it would be experienced in an urban context on a large housing estate where a view of flank walls is not uncharacteristic or unexpected.
9. The appearance of the rear of the appeal dwelling would also change as the rear extension would take the form of a double gable each with an apex the same height as the main roof ridge. However, the appeal dwelling benefits from an open aspect, whether viewed from the front or the rear. There is no dwelling directly behind it, simply the stub of Hetherly Road which gives access to dwellings facing one another at the end of Hetherly Road. Consequently, I do not consider that the development would give rise to the appearance of an overdeveloped plot even though the rear extension design would be a prominent one.
10. The proposed enlargement of the front porch is modest and would not be harmful.
11. I conclude, therefore, that the proposed development would not unduly harm the character or appearance of the host dwelling or the surrounding area including views from the public right of way. It would not conflict with policies ENV10 or ENV12 of the West Dorset, Weymouth & Portland Local Plan (adopted 2015) or the policy document of the former Weymouth and Portland Borough Council entitled "Urban Design: Supplementary Planning Guidance 2002".

Conditions

12. The Council suggested some conditions in the event that the appeal was successful. I have considered those in the light of Planning Practice Guidance. For the avoidance of doubt, there is a condition which ties the carrying out of the development to the approved plans. In order to protect character and appearance of the area, I have imposed a condition which requires the local planning authority to approve materials used on external surfaces.
13. In order to protect privacy for occupants of the dwelling, there is a condition requiring the first-floor bathroom and en-suite windows on the proposed rear south west elevation to be obscurely glazed.

Conclusion

14. Having considered all representations made, for the reasons given above, I allow the appeal subject to conditions.

Megan Thomas K.C.

Inspector