



Appeal Decision

Site visit made on 19 May 2025

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 May 2025

Appeal Ref: APP/D1265/D/25/3363483

61 Old Castle Road, Weymouth, Dorset DT4 8QE

- 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 Renton against the decision of Dorset Council.
 - The application Ref is P/HOU/2024/06248.
 - The development proposed is for a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 61 Old Castle Road, Weymouth, Dorset DT4 8QE in accordance with the terms of the application, Ref P/HOU/2024/06248 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: Location Plan, 24/137/04, 24/137/05 and 24/137/06.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. Since the planning application the subject of this appeal was determined, a new version of the National Planning Policy Framework (the "Framework") has been published (12 December 2024) and consequently amended on 7 February 2025. There has been no material change to national planning policy in respect of householder appeals and therefore I considered that it was not necessary to refer back to the parties. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the appeal proposal upon the living conditions of the occupants of 63 Old Castle Road, with specific reference to outlook and light.

Reasons

4. The appeal relates to an existing two storey semi-detached house which has a wide driveway area between it and the south western boundary shared with 63 Old Castle Road.
5. No 63 is of a chalet style with its ridge running from front to rear. It has 4no windows on its north east facing elevation: two at ground floor level (one obscurely glazed serving a bathroom, the other serving a bedroom); and 2no windows at first floor level located within a dormer serving a utility room and kitchenette.
6. A relatively high blockwork wall is located along the shared boundary with the appeal site which together with the existing flank elevation of no 61 already obscure the outlook from the bedroom window of no 63 to some degree. By bringing two storey built form closer to the shared boundary would undoubtedly further reduce the outlook from this window, however, bearing in mind that it serves a bedroom, the primary purpose of which is generally sleeping, the result would not be unduly overbearing, particularly bearing in mind the hipped roof form, and that the eaves and ridge would be lower than the host dwelling. In addition, by virtue of its orientation, any direct sunlight enjoyed by this window would be limited to early summer mornings and which would not be significantly reduced by the proposal. Therefore, on balance, I consider that the outlook from and daylight/sunlight received by the ground floor bedroom window would not be materially impacted upon.
7. The 2no windows located within the aforementioned dormer serve what would typically be deemed as non-habitable rooms and bearing in mind their increased elevation over the ground floor windows, there would be no material loss of outlook or light received by these windows either.
8. Consequently I consider the proposed development would not give rise to demonstrable harm to the occupants of no 63 and I find no conflict with Policy ENV16 of the West Dorset, Weymouth and Dorset Local Plan (2015) which states that proposals for development should be designed to minimise their impact on amenity of both existing and future residents; and as such development proposals will only be permitted provided that, amongst other things, they do not have a significant adverse effect on the amenity of the occupiers of properties through inadequate daylight or excessive overshadowing, or overbearing impact.

Conclusion and Conditions

9. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.
10. Other than the standard time limit condition, the Council has suggested conditions be imposed that require the development to be carried out in accordance with the approved plans and that materials employed in the extension match those on the existing dwelling. I consider these conditions necessary in the interests of protecting the character and appearance of the area.

C J Tivey

INSPECTOR