



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/25/3363732

7 Hartlebury Terrace, Weymouth, Dorset DT4 8JP

- 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 Nigel Coleman against the decision of Dorset Council.
 - The application Ref is P/HOU/2024/06434.
 - The development proposed is for replacement of rear window with bi-fold door at ground floor, new window at first floor and re-alignment of existing window, apex porch canopy to front door, French doors to replace window at second floor with extended Juliet balcony. Solar panels to flat roof area.
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Decision

1. The appeal is dismissed.

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 proposed French doors and extended Juliet balcony to the front roof slope upon the character and appearance of the host dwelling, a non-designated heritage asset; and whether the scheme would preserve or enhance the character or appearance of the Weymouth Town Centre Conservation Area.

Reasons

4. The appeal site is situated within Hartlebury Terrace, a pedestrian alley that connects Franchise Street and Trinity Terrace within an elevated part of the Conservation Area of Weymouth.
5. All of the houses within the terrace have been altered and extended over time, with each having a box dormer erected to the front roof plane, each of slightly different proportions and with no defined fenestration, albeit all appear to utilise uPVC in their construction. On the whole, views of these from Hartlebury Terrace and the aforementioned adjacent thoroughfares are relatively oblique.

6. Notwithstanding the changes that have been made, the Victorian terrace retains much of its charm and character and can be considered to be a non-designated heritage asset. As I referred to above, the site is in a highly elevated position with a number of properties in relative close proximity enjoying balconies that take in the splendid views over the harbour.
7. The roofscape of the terrace is clearly visible from the harbour side with direct views from Hope Street and Cove Row; and in combination with the other Hartlebury Terrace dormers their haphazard siting and design is very apparent. One common theme however, is a lack of balconies such that as that proposed within the terrace, although a far larger such feature is clearly visible to the northwest of the terrace at 2 Franchise Street. I have also had regard to the other examples of roof balconies cited by the appellant that are found within the Conservation Area, however, ultimately each case must be assessed on its own merits.
8. Whilst in itself the proposed balcony and glass balustrade may represent a modest and sympathetic enhancement to an existing dormer, rather than a fundamentally new alteration, the scheme cannot be treated in isolation. The very fact that there is a variety of box dormers already located across the terrace does not set a precedent for further alterations which would visually compete with the principal facade in an even greater fashion.
9. The scheme would involve further cutting into the front roof slope to create a small balcony area and the provision of the glass balustrade would essentially create additional three dimensional form projecting from the roof plane that would be alien to the character to the historic terrace itself. It has not been demonstrated that the circumstances of no7 are unique, and it is more than possible that similar such proposals could be replicated elsewhere along the terrace, if not as a result of a replacement dormer structure.
10. The proposal would further undermine the historic character of the host cottage and the terrace of which it forms part; and would fail to preserve the character and appearance of the Conservation Area. I therefore find that in addition to harm caused to the non-designated heritage asset, less than substantial harm would also be caused to the designated heritage asset and the public benefits cited by the appellant do not outweigh that harm. I find the proposal conflicts with Policies ENV4 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015) which together require development to achieve high quality sustainable and inclusive design and will only be permitted where the siting, alignment, design, scale, mass and materials used complement and respects the character of the surrounding area; meaning that the general design should be in harmony with the adjoining buildings and the area as a whole, whilst ensuring that the impact of development on a designated or non-designated heritage asset and its setting are conserved.

Conclusion

11. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey INSPECTOR