

<b>Application Number:</b>	P/HOU/2024/02788
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	24 Beech Road Weymouth Dorset DT3 5NP
<b>Proposal:</b>	Proposed addition of first floor storey
<b>Applicant name:</b>	Mr and Mrs L Tonkin
<b>Case Officer:</b>	Josh Cawsey
<b>Ward Member(s):</b>	Cllr Northam

### 1.0 Reason application is going to committee

The application is being referred to planning committee at the request of the Head of Planning following a scheme of delegation referral.

### 2.0 Summary of recommendation:

The Application is recommended for REFUSAL.

### 3.0 Reason for the recommendation:

- The proposal, through the increase in height, being of a design that takes no cues from the surrounding area, poor fenestration detailing, being out of scale & proportion with neighbouring properties and being of a fully rendered finish, would not contribute positively to maintaining and enhancing local identity and distinctiveness within the street scene. The proposal also completely removes the existing property essentially, overpowering/overdeveloping it and not offering a significant enhancement to the building and surrounding area. It is therefore considered that the proposal does not respect the site and its surroundings and is contrary to Policies ENV10 and ENV12 of the West Dorset, Weymouth and Dorset Local Plan (2015) and paragraphs 135 & 139 of section 12 of the National Planning Policy Framework (2023).
- The proposal, through the large increase in bulk and height, coupled with the minimal separation distance, would result in significant harm to the amenity of the neighbouring residential property, namely no.26 Beech Road, through an overbearing and overshadowing impact. The proposal is therefore considered to be contrary to Policy ENV16 of the West Dorset, Weymouth and Dorset Local Plan (2015) and paragraphs 135 & 139 of section 12 of the National Planning Policy Framework (2023).

### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Principle of development is considered to be acceptable, subject to other material considerations.
Scale, design, impact on character and appearance	The proposal is assessed to be of a scale and design that fails to maintain or enhance the local identity and distinctiveness of the area, also overpowering the existing property.
Impact on the living conditions of the occupants and neighbouring properties	The proposal would result in significant harm to the neighbouring property's amenity through an overbearing and overshadowing impact.
Highway impacts, safety, access and parking	The proposal would not adversely impact the highways network or parking arrangements.

## 5.0 Description of Site

- 5.1 The application site is 24 Beech Road, Weymouth. This is a residential property located to the South side of Beech Road. The property is a detached bungalow, with first floor accommodation and a large dormer to the rear elevation. The property is constructed of red brick with fibre cement slate roofing. All fenestration is white uPVC.
- 5.2 The principle elevation of the property, containing the front entrance, is located to the east elevation, on to a single width driveway leading to a red brick garage with a dual pitched roof. To the front of the property, on to Beech Road, the site is paved, currently used for the parking of vehicles. There is no boundary treatment to the front elevation, however there is a low-level wall and fence to the east elevation, separating the property from the neighbouring bungalow, No.26 Beech Road.
- 5.3 The application site is located centrally within Beech Road, to the south side of the road. To the east of the site lies another detached property with accommodation in the roof space, albeit that property is larger in scale. Further east lie a number of detached two storey properties, with finishes such as red brick or a mix of brick and render.
- 5.4 To the west of the site is a row of detached dwellings. These are all of the same scale and form, with notable features such as the bay windows to the front elevations. Beyond these, the style of properties changes to a mix of two storey and single storey detached dwellings.
- 5.5 Opposite the development site, to the North side of Beech Road lie a number of detached properties, a mixture of both single and two storey in scale. These have a material finish of mostly red brick, however one property has been rendered and one property contains pebble-dashed render at first floor. There are also a number of dwellings erected behind these properties, which are a product of previous backland development proposals, which are accessed via Beech Road.
- 5.6 Parking on the street is commonplace, with some dwellings having parking within their respective plots and others having no allocated parking. There are no double yellow lines or parking restrictions on Beech Road.

## **6.0 Description of Development**

The proposal seeks the addition of a first floor above the existing bungalow dwelling. The proposal seeks the use of a material palette of white render to walling, fibre cement roof tiles and white uPVC fenestration.

## **7.0 Relevant Planning History - There is no relevant planning history.**

## **8.0 List of Constraints**

Landscape Character Area – Weymouth Urban Area

Within Weymouth Defined Development Boundary

Within Upwey and Broadway Parish

Within Upwey and Broadway Ward

## **9.0 Consultations**

All consultee responses can be viewed in full on the website.

### **Consultees**

#### **1. Weymouth Town Council**

- No objection to the proposal

#### **2. Ward Member - Upwey & Broadway**

- Wish for the application to be referred to the committee.

### **Representations received**

#### **Summary of comments of objections:**

No comments of objection received.

#### **Summary of comments of 1 representation of support:**

Proposal would be matching height, would be in keeping.

## **10.0 Duties**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

## **11.0 Relevant Policies**

### Development Plan

#### **West Dorset, Weymouth and Portland Local Plan (2015)**

INT1 – Presumption in favour of sustainable development

SUS2 – Distribution of Development

ENV1 – Landscape, Seascape and Sites of Geological Interest

ENV10 – The Landscape and Townscape Setting

ENV12 – The Design and Positioning of Buildings

ENV16 – Amenity

COM7 – Creating a Safe and Efficient Transport Network

COM9 – Parking Standards in New Development

### Material Considerations

#### **Emerging Local Plans:**

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

#### **The Dorset Council Local Plan**

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

#### **Emerging Neighbourhood Plans**

Weymouth Neighbourhood Plan – Designated with pre-submission consultation having taken place in 2023.

#### **National Planning Policy Framework**

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

Paragraph 135 states that Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 139 notes that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings

#### Other material considerations

Weymouth and Portland Urban Design (2002)

Landscape Character Assessment (Weymouth and Portland)  
Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

## **12.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **13.0 Public Sector Equalities Duty**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. Those with protected characteristics would not be impacted as a result of the proposed development.

## **14.0 Financial benefits - None of relevance.**

## **15.0 Environmental Implications**

Recognising the urgent need to act on the causes and impact of climate change and biodiversity loss, Dorset Council declared a Climate and Ecological Emergency in 2019. As part of this, the vision proposes to become a resilient, carbon neutral and nature positive Dorset, being a carbon-neutral council by 2040 and helping the whole of Dorset become carbon-neutral by 2050 (at the latest). In 2020, a Climate and Ecological Emergency Statement (2021-2023) was published, which can be found

on the Dorset Council website. However, the proposal does not seek any specific environmental implications, with no measures such as solar panels, air source heat pumps etc. included in the proposed plans. Conversely the development as a result of the use of additional materials and equipment will generate carbon omissions.

## **16.0 Planning Assessment**

### Principle of Development

16.1 The proposal seeks to erect a first floor above the existing dwellinghouse, retaining the existing footprint. As per local plan policy SUS2 residential development to meet local need will normally be permitted including extensions to dwellings. As such, the principle of development, subject to other material considerations, as assessed below, is considered to be acceptable.

### Scale, design, impact on character and appearance

16.2 Policy ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015) states that all development proposals should contribute positively to the maintenance and enhancement of local identity and distinctiveness, with development informed by the character and appearance of the site and its surroundings.

16.3 Furthermore, Policy ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015) states that development will achieve a high quality of sustainable and inclusive design, with development only permitted where the siting, alignment, design, scale, mass and materials used compliments and respects the character of the surrounding area or would actively improve legibility or reinforce sense of place. Policy ENV12 also notes that any alterations or extensions of buildings should be well related to, and not overpower, the original building or neighbouring properties, unless they achieve significant visual enhancement to both the building and surrounding area.

16.4 The proposal as submitted seeks to erect a first floor above the existing dwelling, raising the eaves and ridge height significantly, with the ridge proposed to be higher than that of no.22 Beech Road directly to the West – no.22 measured as 7.75m tall, in comparison to 8.37m of the proposed dwelling. The proposal has no specific or notable design features, seeking a simple two storey dwelling design with a dual pitched roof. It is noted that both numbers 20/22 Beech Road have some element of traditional character and proportions and appear pleasing by virtue of their bays, gable projections and tile detailing. However, this proposed dwelling lacks style and appropriate fenestration with no reference to anything within the street or design finesse generally.

- 16.5 As outlined above, policy ENV10 notes that all development should be informed by the character and appearance of the site and its surroundings which clearly is not the case in this instance. The proposal seeks a simple, two storey dwelling with no specific design features or defining characteristics. The proposal takes no design cues from the surrounding area, such as the abundance of red brick finishes, or features such as the bay windows as mentioned at numbers 20/22 Beech Road to the west of the application site. The proposal also does not appear to take any cues on matters such as scale either, with the proposed development being of a height larger than that of the neighbouring no.22/20 Beech Road pair which appears discordant and overpowering. The existing bungalow is fully subservient to this neighbouring pair of semi-detached dwellings currently whereas, its finishing scale after extension to be higher than numbers 20/22 and blank characterless frontage will take visual precedence inappropriately.
- 16.6 Furthermore, as per Policy ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015), extensions and alterations to buildings should be well related to, and not overpower, the original building unless they achieve significant enhancements to both the building and surrounding area which as already discussed, is not the case with this application.
- 16.7 Beyond the reuse of the footprint, the proposal offers no relation to the original property, seeking to extend from a bungalow style property to a large two storey building of a materially different appearance, style and finish. The proposal would dwarf the existing in terms of scale and would have no notable or retained relation to the existing building. As assessed above, the proposal does not offer any enhancement to the surrounding area, and as such the proposal is considered to be contrary to policy ENV12.
- 16.8 The proposal, being taller than the neighbouring properties, of a design that takes no cues from the surrounding area, and proposing to be of a fully rendered design, would not contribute positively to the maintenance and enhancement of the local identity and distinctiveness. The proposal also has no relation to the existing property, overpowering it and not offering a significant enhancement to the building and surrounding area. It is therefore considered that the proposal is contrary to Policies ENV10 and ENV12 of the West Dorset, Weymouth and Dorset Local Plan (2015) and Part 12 of the National Planning Policy Framework.

#### Impact on the amenity of neighbouring properties

- 16.9 As per policy ENV16, proposals for development should be designed to minimise their impact on the amenity and quiet enjoyment of both existing residents and future residents within the development and close to it. Developments will only be permitted provided:



- They do not have a significant adverse impact on the living conditions of occupiers of residential properties through loss of privacy;
- They do not have a significant adverse effect on the amenity of the occupiers of properties through inadequate daylight or excessive overshadowing, overbearing impact or flicker;
- They do not generate a level of activity or noise that will detract significantly from the character and amenity of the area or the quiet enjoyment of residential properties; and
- They do not generate unacceptable pollution, vibration or detrimental emissions unless it can be demonstrated that the effects on amenity and living conditions, health and the natural environment can be mitigated to the appropriate standard.

16.10 Paragraph 135 of the National Planning Policy also states that policies and decision should ensure that development creates places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity of existing and future users.

16.11 The proposal seeks the erection of a first floor to the existing bungalow property. The existing property contains a large dormer to the rear elevation, with a number of windows within the rear wall. Whilst the proposal will introduce a new first floor, the proposal will provide no additional overlooking impact above and beyond that of the existing with windows at first floor level.

16.12 To the west elevation, the proposal is adjacent to the blank elevation of the neighbouring property. Due to this blank elevation, it is assessed that the proposal would have no harmful impact upon no.22 Beech Road, which is itself a two storey property.

16.13 To the east, the site is adjacent to the principal elevation of no.26 Beech Road. This is a property with a steeply pitched roof with accommodation contained in the roof. To the ground floor, the property has a bedroom (a habitable room) which is located to the front of the property and has a window directly facing no.24 Beech Road and on to the development. This window is located approximately 6.6m from the side elevation of the proposed dwelling.

16.14 The proposal seeks to add a first floor, substantially raising both the eaves and ridge height. This would result in the side elevation, which no.26 is only 6.6m from, rising from 2.77m at eaves and 5.67m at ridge, to 5.95m to eaves and 8.31m to ridge. This would result in a large increase in the bulk and mass of the side elevation, which is assessed to be in very close proximity to the neighbouring property, just 2.45m to the boundary and 6.6m to the side elevation of the neighbour.

16.15 When considering the proposed increase of 3.18m to the eaves height and 2.64m to the ridge height, the large increase in bulk and mass to the side elevation, coupled with the small separation distance, the proposal would result in a significant overbearing and overshadowing impact on both the side garden area and property of no.26 Beech Road. This impact is furthered by the location of habitable rooms, namely the ground floor bedroom which has a large window that would be significantly overshadowed by this large-scale extension.

16.16 The proposal is therefore considered to be contrary to Policy ENV16 of the Adopted West Dorset, Weymouth and Portland Local Plan (2015) and Paragraph 135 of the National Planning Policy Framework (2023).

#### Highways impacts, safety, access and parking

16.17 The proposal seeks the extension of the existing property, increasing the number of bedrooms within from three to four. Remaining in residential use, the proposal would not result in substantial harm to the highways network above and beyond that of the existing.

16.18 Whilst increasing the numbers of bedrooms within the property, there is ample parking space within the plot, with two spaces to the front of the property, two to the side and a single garage space.

16.19 The proposal is therefore considered to be in accordance with Policies COM7 and COM9 of the West Dorset, Weymouth & Portland Local Plan (2015) and Part 9 of the National Planning Policy Framework (2023).

### **17.0 Conclusion**

17.1 The proposal seeks an extension that is out of keeping with the surrounding area, taking no cues from the surrounding area, and fails to contribute positively to the maintenance and enhancement of the local identity and distinctiveness. The proposal also has no relation to the host dwelling and would see an extension that would overpower this. There is no enhancement provided to the building or surrounding area, and as such the proposal is assessed to be contrary to policies ENV10 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (2015) and Part 12 of the National Planning Policy Framework (2023).

17.2 The proposal is also located within close proximity to the site boundary and principal elevation of the neighbouring property, no.26 Beech Road. This neighbouring principal elevation also contains a large window to a habitable room. Through the large scale of the proposal and increased bulk to the side elevation, coupled with the close proximity of 6.6m to the neighbour's elevation, it is assessed that the proposal

would result in significant harm to the residential amenity of the neighbouring property, and is therefore contrary to Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015) and Part 12 of the National Planning Policy Framework (2023).

## **18.0 Recommendation**

The application is recommended for refusal for the following reasons:

1. The proposal, through the increase in height, being of a design that takes no cues from the surrounding area, poor fenestration detailing, being out of scale & proportion with neighbouring properties and being of a fully rendered finish, would not contribute positively to maintaining and enhancing local identity and distinctiveness within the street scene. The proposal also completely removes the existing property essentially, overpowering/overdeveloping it and not offering a significant enhancement to the building and surrounding area. It is therefore considered that the proposal does not respect the site and its surroundings and is contrary to Policies ENV10 and ENV12 of the West Dorset, Weymouth and Dorset Local Plan (2015) and paragraphs 135 & 139 of section 12 of the National Planning Policy Framework (2023).
2. The proposal, through the large increase in bulk and height, coupled with the minimal separation distance, would result in significant harm to the amenity of the neighbouring residential property, namely no.26 Beech Road, through an overbearing and overshadowing impact. The proposal is therefore considered to be contrary to Policy ENV16 of the West Dorset, Weymouth and Dorset Local Plan (2015) and paragraphs 135 & 139 of section 12 of the National Planning Policy Framework (2023).