

Appeal Decision

Site visit made on 22 November 2016

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 December 2016

Appeal Ref: APP/G1250/D/16/3155213
43 Dunkeld Road, Bournemouth, BH3 7EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr & Mrs S Bartlett against the decision of Bournemouth Borough Council.
 - The application Ref 7-2016-8748-F, dated 9 May 2016, was refused by notice dated 13 July 2016.
 - The application sought planning permission for alterations and single storey extensions to dwellinghouse without complying with a condition attached to planning permission Ref 7-2014-8748-E, dated 15 December 2014.
 - The condition in dispute is No 1 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans: 145080 05, 145080 03, 145080 04.
 - The reason given for the condition is: For the avoidance of doubt and in the interests of proper planning.
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Decision

1. The appeal is allowed and planning permission is granted for alterations and single storey extensions to dwellinghouse at 43 Dunkeld Road, Bournemouth, BH3 7EW in accordance with the application Ref 7-2016-8748-F dated 13 July 2016 subject to the conditions set out in the attached schedule.

Main Issue

2. This appeal seeks permission to implement an amended roof design to the single storey side extension granted under planning permission 7-2014-8748-E. As such a variation of the plans condition on this original permission is sought.
3. The main issue is therefore the effect of the amended roof design of the single storey side extension on the character and appearance of the dwellinghouse and whether it would preserve or enhance the character or appearance of the Meyrick Park and Talbot Woods Conservation Area.

Reasons

4. The appeal site is located within the Meyrick Park and Talbot Woods Conservation Area. 43 Dunkeld Road is a relatively large detached property. It is located on a residential road of similarly sized detached properties of varying designs, a number of which have had sympathetic extensions.
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Planning permission 7—2014-8748-E allowed a single storey side extension to the appeal property with a hipped roof design. The appellant seeks to amend this to a lean-to style roof with no hips.

5. The existing dwelling has a fully hipped and pitched roof. Whilst the proposed roof would be in a lean-to style the angle of it would broadly match the angle of the hip of the main roof. The gable end created could also be rendered to blend in with the main dwelling. Furthermore, there are a number of other properties in the immediate vicinity which have lean-to style roofs over single storey side extensions of a similar design to that proposed which do not appear out of character. Any additional bulk created by the revised roof design would not be significant or harmful given its overall subservient design.
6. The amended roof design of the single storey side extension would therefore not be harmful to the character and appearance of the dwellinghouse and as such it would preserve the character and appearance of the Meyrick and Talbot Woods Conservation Area. I therefore find no conflict with Policy 4.4 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012), which, broadly speaking, require development to be well designed and to respect the site and surroundings. Policy CS38 is referred to but this relates to pollution. I have therefore concluded against the policies I consider most relevant.

Conditions and Conclusion

7. In light of my findings above I have varied plans condition 1 of permission 7-2014-8748-E to refer to the plans showing the amended roof design. I have also amended the standard time limit condition so that this permission runs from the date of the original permission. The remaining conditions on the original permission relating to matching materials, tree protection measures and landscaping I have re-imposed as these have not been previously discharged as the development has not yet commenced. The appeal is therefore allowed and the planning permission varied.

Hayley Butcher

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the 15 December 2014.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 03 Rev A, 04 Rev A and 05.
- 3) Notwithstanding the details included on the application form the materials and colours to be used in the construction of the external surfaces of the extensions hereby permitted shall match the elevations to which the extensions are to be added and such work shall be completed prior to occupation of the development granted by this permission.
- 4) The tree protection measures as detailed in the arboricultural method statement dated 17 October 2014, referenced DS/26214 and prepared by Treecall Consulting Ltd shall be implemented in full and in accordance with the approved timetable and maintained and supervised until completion of the development.
- 5) Within three months of the date of commencement of the development, unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. The details shall include where appropriate: Planting plans; Schedule of plants, and; Implementation timetable. The approved soft landscape scheme shall be implemented in full prior to occupation or use of the development commencing and permanently retained unless otherwise agreed in writing by the Local Planning Authority.
- 6) Within three months of the date of commencement of the development, unless otherwise agreed in writing by the Local Planning Authority, full details of a landscape maintenance plan for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the arrangements for its implementation. The landscape management plan shall be carried out in accordance with the approved details.