

---

## Appeal Decision

Site visit made on 26 June 2018

**by J J Evans BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 July 2018**

---

**Appeal Ref: APP/G1250/W/18/3193967**  
**25 McKinley Road, Bournemouth BH4 8AG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr R Syrett against the decision of Bournemouth Borough Council.
  - The application Ref 7-2017-9473-0, dated 30 October 2017, was refused by notice dated 18 December 2017.
  - The development proposed is alterations and erection of a 2 storey extension to form 2 no. additional self-contained flats with associated parking and access.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. 25 McKinley Road is within the West Overcliff Drive Conservation Area. As required by the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to preserving or enhancing the character or appearance of a conservation area.
3. At my site visit I saw that works were being undertaken to the building and also to the front and side gardens of the property. Changes in ground levels of the garden had been implemented, along with the construction of retaining walls. Trees to the eastern boundary had been felled, and thinning works had occurred to boundary hedges. The changes that were occurring on site were not shown on either the existing or proposed site plan drawings (ie those referenced J.88.2015-06A and J.88.2015-06D). Some details of the planning history of the site have been provided in the appeal submissions, but confirmation of the status of the works that were being undertaken was not provided by the Council. Notwithstanding this I have confined myself to the consideration of the appeal proposal before me, rather than what has occurred on site.

### Main Issues

4. The main issues are firstly, the effect of the extension on the character and appearance of 25 McKinley Road and that of the surrounding area, having particular regard to whether the proposal would preserve or enhance the character or appearance of the conservation area; and secondly, whether adequate provision is made for mitigation measures with regard to the effect of the proposal on the Dorset Heathlands.



## Reasons

### *Character and Appearance*

5. West Overcliff Drive Conservation Area is characterised by substantial villas positioned in generous plots within which are a number of trees. These and the presence of mature boundary hedges gives a verdant character and appearance to the area. Set back from the highway behind mostly deep front gardens the villas have a diverse range of form and detail, albeit several reflecting the Arts and Crafts style. Some plot division and modern infill has occurred, and several of the villas, including 25 McKinley Road, have been extended. Despite this, part of the significance of the conservation area is the repeated presence of imposing and high quality detailed residences set amongst mature landscaping, and the appeal property makes a positive contribution to this character and appearance.
6. No 25 has previously been extended to the rear, and the proposed addition would be to the side of this, with materials and some elements of the detailing matching that of the existing extension. However, even with the lower ridge and eaves, the extension would appear as a long and large addition to the original dwelling. The varying ridge heights and their relationship with the existing building would have a confusing and conflicting appearance. Moreover, when viewed from the front of the site, the extension would appear truncated in height when compared to the tall elegant vertical emphasis of the principal building. The awkward relationship between the elegant elemental form of the main building and the proposed extension, along with the size of the addition and its overly contrived appearance, would be at harmful odds with the careful harmony of the original house.
7. Furthermore, the extent and mass of the extension would be clearly apparent in the surrounding area. The eastwards projection of the building and the consequential narrowing of the garden would be harmfully visible from both the public and private realm. Whilst there may be other buildings that have been extended to have an L-shaped plan, in this case the cumulative size of the extensions and the reduction of the spacious garden setting to the house would appear harmfully disproportionate.
8. Trees within the garden are protected by a Tree Preservation Order (TPO) and at my visit I saw that trees had been removed and the boundary vegetation thinned. The provision of additional flats would require changes to the grounds of the property, including the provision of two parking spaces. However, where the proposed additional spaces would be is not clear, as the existing and proposed site layout drawings show no increase in parking provision on site (ref. J.88.2015-06A and J.88.2015-06D). Given the works that are currently occurring on site and that the Council have referred to the submitted drawings incorporating elements that have not received permission, I am unable to assess with any certainty what has been previously permitted with regards to parking and landscaping and what is proposed with the appeal scheme. Notwithstanding this, as I am dismissing the appeal for other reasons this matter has not been decisive.
9. Both the main parties have drawn my attention to the planning history of the property. Nevertheless, none of these proposals is a direct comparison to that before me. For the reasons given above I have found that the appeal scheme



would unacceptably harm both the host building and the character and appearance of the conservation area.

10. The National Planning Policy Framework (the Framework) requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset that this harm should be weighed against the public benefits of the proposal. The extension would result in less than substantial harm due to its comparative size relative to that of the conservation area. The appellant has referred to a number of benefits arising from the scheme, including a contribution to economic growth and the provision of two additional homes. These would be public benefits, but they would be modest and would not outweigh the significant harm I have found to the conservation area.
11. Thus, the proposed extension would unacceptably harm the character and appearance of 25 McKinley Road and would neither preserve nor enhance the character or appearance of the conservation area. This would be contrary to the requirements of Policies CS21, CS39 and CS41 of the Bournemouth Local Plan: Core Strategy (2012) (CS) and Policies 4.4 and 6.10 of the Bournemouth District Wide Local Plan (2002). These seek, amongst other things, high quality development that protects, preserves or enhances the character or appearance of a conservation area, and that which respects the site and its surroundings, thereby reflecting objectives of the Framework.

#### *Dorset Heathlands*

12. The site is within 5km of the Dorset Heathlands and the national and international importance of these areas is reflected in their designation as a Special Protection Area, Special Area of Conservation, Ramsar site, and Site of Special Scientific Interest. CS Policies CS32, CS33 and CS34 seek the protection of the special interest and integrity of the heathlands, with guidance provided in the Dorset Heathlands Planning Framework Supplementary Planning Document (2016) (SPD). These policies and SPD require the protection of the integrity of the heathlands through the provision of avoidance and mitigation measures that seek to address the increased recreational pressure occurring from future residents.
13. Although the appellant has stated a willingness to enter into a legal agreement to secure mitigation and avoidance measures, none has been provided. In the absence of a means of securing such measures, the impact of the proposal on the internationally important heathlands would not be adequately mitigated nor would their integrity be protected. The scheme would therefore have an adverse impact on the heathlands, and this would be contrary to the objectives of the CS Policies referred to above, the SPD, and also to those of the Framework that seek to conserve and enhance the natural environment.

#### **Other Matters**

14. Local residents have raised a number of matters, including concerns with regard to increased traffic and parking on the public highway, a loss of privacy for the occupiers of nearby properties, restrictive covenants and works occurring that are not in accordance with approved drawings. Some of these concerns are not directly connected with the planning considerations of the proposal before me, and of those that are, following my findings on the main issues, I have no need to consider them further.



**Conclusion**

15. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

*J J Evans*

INSPECTOR