
Appeal Decisions

Site visit made on 29 January 2020

by Nick Fagan BSc (Hons) DipTP MRTPI

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

Decision date: 10 February 2020

Appeal Ref: APP/V1260/W/19/3238916

1 Haven Cottages, Mudeford Quay, Christchurch, Dorset BH23 4AB

- 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 & Mrs Ian Chandler against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 8/19/0913/HOU, dated 29 May 2019, was refused by notice dated 22 July 2019.
 - The development proposed is new dormer windows to the front and rear to match existing.
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Appeal Ref: APP/V1260/Y/19/3239294

1 Haven Cottages, Mudeford Quay, Christchurch, Dorset BH23 4AB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Ian Chandler against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 8/19/0914/LB, dated 29 May 2019, was refused by notice dated 22 July 2019.
 - The works proposed are new dormer windows to the front and rear to match existing.
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Decisions

1. The appeals are allowed and planning permission and listed building consent granted for new dormer windows to the front and rear to match existing at 1 Haven Cottages, Mudeford Quay, Christchurch, Dorset BH23 4AB in accordance with the terms of the applications, Refs 8/19/0913/HOU and 8/19/0914/LB, dated 29 May 2019, subject to the following conditions:

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of The Town and Country Planning Act 1990 and Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and PL IC 0105/2017.

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) No development shall take place until details and samples of all external facing and roofing materials have been provided on site, and approved in

writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved, unless otherwise agreed in writing with the LPA.

Reason: This information is required prior to above ground work commencing to ensure satisfactory visual relationship of the new development to the existing.

(4) Prior to the commencement of development, details and sections of the proposed dormer casements (scale 1:10), shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To preserve the special architectural character of the listed building in accordance with Policies HE1, BE14 and BE4 of the Local Plan (2014).

Main Issue

2. The main issue is the effect of the proposed development on the significance of this Grade II listed building (LB) and on the character and appearance of the Mudeford Quay Conservation Area (CA).

Reasons

3. Statute requires that decision makers shall have special regard to the desirability of preserving LBs or their settings, and that special attention is paid within CAs to the desirability of preserving or enhancing the character or appearance of the area.¹
4. The appeal property is one of a group of heritage assets located at the southern tip of Mudeford Quay overlooking the entrance to Christchurch Harbour, with Hengistbury Head on the other side of the water to the south. These include the two small terraces of cottages and the Haven House Inn just to the north. It is a picturesque and beautiful spot and a popular tourist destination.
5. The CA encompasses the Quay, the beach and north side of the harbour and the entrance to the harbour itself. The appeal property is the southern building in the eastern terrace of cottages, originally listed in 1953 as 1-4 (consecutive) Haven or Dutch Cottages. This terrace dates from the late seventeenth or early eighteenth century. Immediately to its west is another more recent non-listed terrace that overlooks the Harbour (comprising Nos 2, 5 and 6 Haven Terrace). These terraces are undoubtedly a visual focal point on the Quay.
6. No 1, which formerly comprised two flats, was in poor condition and has recently undergone extensive renovation works pursuant to permissions in 2017 and 2018, which are still ongoing, to restore it to a single three-storey (including roof space) dwelling. The northern half of the terrace (Nos 3 and 4) is in use as two flats.
7. This northern property has a gable and roof extension on its west roof plane with three tile-hung dormer windows on its east roof plane. No 1 has two dormers on its east roof plane and two on its west roof plane, all of the same size and design as these. The proposal is to install another identical dormer to each roof plane, to provide additional daylight and aspect to rooms that will be

¹ S 16(2), 66(1) & 72(1) Planning (Listed Buildings and Conservation Areas) Act 1990

- used respectively as a study/small bedroom and a bathroom in the restored dwelling.
8. The proposed dormers are small and designed to match those existing on the building and as such would not dominate the roof form of either roof plane. They would be complementary to the building's character and appearance.
 9. The Council appears to be concerned that the proposed dormer to the eastern roof plane would produce an appearance of symmetry between this and the adjacent roof, which would be unacceptable. However, the dormers to this roof plane would continue to be in different positions on the roof compared to those on the northern building and would consequently still be asymmetric. The western roof planes of the two buildings are completely asymmetric in any case.
 10. It may well be the case that some historic timberwork to the roof is lost as a result of the installation of the new dormers but this would be minimal and must be seen in the context of all the approved work to restore this building to its optimum viable residential use, which has rightly been agreed as acceptable by the Council and appears from my visit to be of high quality and sensitive to the building's character and heritage.
 11. In summary, the proposed dormers along with those existing would remain subsidiary to both roof planes of the appeal property and the listed terrace as a whole and would be entirely in character with it. The loss of historic timber roof fabric would be minimal. They would not affect the significance of the LB, whose essential physical structure and elevational appearance would remain largely unchanged.
 12. Policies HE1 and HE2 BE4, BE14 and KS1 of the Christchurch and East Dorset Local Plan (2014) together require the protection of the significance of all heritage assets and high-quality design that recognises local distinctiveness. Assuming that Policies BE4 and BE14 of the Borough of Christchurch Local Plan (2001) have been 'saved', these policies together require the protection of the character and appearance of CAs and the preservation of LBs. For the above reasons the proposed dormers would comply with these
 13. For these reasons I conclude that the proposed dormer windows would not affect the LB's significance. Nor for the same reasons would it harm the character or appearance of the CA. Subject to the conditions set out above, and for the reasons attached to them, the appeals should be allowed.

Nick Fagan

INSPECTOR