



Appeal Decision

Site visit made on 12 November 2020

by Christopher Miell MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2020

Appeal Ref: APP/D1265/D/20/3258352

Beechy Heights, Boundary Drive, Colehill, Wimborne BH21 2RE

- 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 M Frend against the decision of Dorset Council.
 - The application Ref 3/20/0748/CONDR, dated 5 May 2020, was refused by notice dated 21 July 2020.
 - The application sought planning permission for two storey rear extension. Remove gabled roof and replace with raised hipped roof forming additional storey to create 1st floor habitable accommodation without complying with a condition attached to planning permission Ref 3/19/2320/HOU, dated 10 February 2020.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans: 019/028/01 Proposed Plans and Elevations (submitted 20.01.2020).
 - 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 a two storey rear extension. Remove gabled roof and replace with raised hipped roof forming additional storey to create 1st floor habitable accommodation at Beechy Heights, Boundary Drive, Colehill, Wimborne BH21 2RE in accordance with the application Ref: 3/20/0748/CONDR, dated 5 May 2020, without compliance with condition number 2 previously imposed on planning permission Ref: 3/19/2320/HOU dated 10 February 2020 and subject to the attached schedule of conditions.

Procedural Matters

2. At my site visit, I noted that the works relating to the current proposal had started at the appeal property. However, it was apparent that the development was not complete. As such, I am determining this appeal on a part-retrospective basis.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the area, including the effect of the development upon the setting of the Burts Hill/Merrifield Conservation Area and non-designated heritage assets.

Reasons

4. The proposal seeks to alter the approved development to provide an additional bedroom within the roof level. The works would replace the approved hipped roof to the rear of the appeal property with a cropped gable roof form. As part of the development, an additional dormer would be constructed to the side elevation and an additional window inserted on the rear elevation.
5. The appeal site is situated near to the boundary of the Burts Hill/Merrifield Conservation Area. In addition, the neighbouring properties on Boundary Drive, known as 'High Hangers' and 'Bells House' are identified as non-designated heritage assets by the Council due to their local historic significance.
6. The Council's conservation area appraisal¹ for the Burts Hill/Merrifield Conservation Area (the 'CA') explains that the conservation area is located on the north facing slopes of Colehill, bordered by the built-up area of Colehill on the top of the hill and flat, open farmland below to the north.
7. The CA has a rural character comprising of an intimate landscape of small fields, high hedges and mature trees accessed by an irregular network of deeply-cut lanes, tracks and footpaths. The pattern of residential development is widely dispersed and most of the existing buildings date from the 1700's.
8. The site is located within a Special Character Area (the 'SCA') known as 'Giddylake/Beaucroft'. The Council's Supplementary Planning Guidance No. 27 (October 2005) ('SPG 27') explains that SCAs are parts of some towns and villages which are important for their character and the contribution which they make to the local environment. Whilst these areas are not of sufficient historic or architectural interest for designation as conservation areas, it is important that they should be protected because of their intrinsic quality and their local importance.
9. SPG 27 states that the Giddylake/Beaucroft SCA is characterised by low-density development with buildings often being set well back from the road frontage and/or having generous space in between dwellings. It explains that the area has developed slowly throughout the 20th century, with most styles and periods represented. This has resulted in a mix of single and two storey family dwellings of varied age, design and character, often juxtaposed. The architectural quality of the buildings, whether large or small, is generally high, with a number of outstanding examples of Victorian, Edwardian, and Arts and Crafts houses.
10. The proposed alterations would increase the bulk, scale and mass of the approved development at roof level. However, the extent of the additional massing would be limited when viewed in the context of the host building, which is a large detached dwelling situated within a spacious plot.
11. Whilst I recognise that the appeal property occupies an elevated position on Boundary Drive, the proposed roof alterations would be situated to the rear of the building and would not be readily visible from the roadside. Moreover, when compared to the approved development, there would be no change to the front elevation of the host building. Consequently, I do not share the Council's view that the proposed alterations would result in a 'visually incongruous' and 'dominant dwelling'.

¹ East Dorset District Council: Supplementary Planning Guidance No.29 (September 2006)

12. Despite the additional built form, the appeal property would retain a sense of spaciousness with generous space between it and the neighbouring properties, which would respond to the surrounding low-density residential development. Moreover, the design and appearance of the proposed development would be in keeping with the approved alterations to the host building. Overall, the appeal property would be of a high-quality architectural design, which would reinforce the local distinctiveness of the Giddylake/Beaucroft SCA.
13. For these reasons, the proposed development would successfully assimilate into the wider built-up area of Colehill, which borders the adjoining CA. Therefore, the proposal would have a neutral impact upon and thus preserve the setting of the CA and hence no harm would be caused to the significance of the CA by the alterations to the approved development.
14. Furthermore, given my findings above, and owing to the rearward position of the roof alterations and the separation distance between the appeal site and High Hangers and Bells House, I conclude that the development would preserve the setting of the respective non-designated heritage assets.
15. For the collective reasons outlined above, I conclude that the proposed development would not have a harmful effect on the character and appearance of the area. Moreover, the proposal would have a neutral impact upon and thus preserve the setting of the Burts Hill/Merrifield Conservation Area and the non-designated heritage assets, known as High Hangers and Bells House.
16. Consequently, the proposal would accord with Policies HE1 and HE2 of the Christchurch and East Dorset Local Plan: Part 1 – Core Strategy, which require new development to be of a high quality which respects the features and characteristics of the SCA and to conserve and where appropriate enhance the significance of heritage assets.

Conditions

17. The Planning Practice Guidance makes clear that decision notices for the grant of planning permission under Section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. To this regard, no evidence has been put forward to demonstrate that any conditions from the original planning permission have been discharged by the applicant. Nevertheless, as works have commenced at the site, it is not necessary to impose the statutory time limit condition.
18. I have considered the conditions against the tests as laid out in paragraph 55 of the National Planning Policy Framework. In the interests of precision, where necessary, I have amended the wording of the conditions. In respect of the plans list condition, I have listed the approved plans, as it is necessary that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty.

Conclusion

19. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed

Christopher Miell
INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No: 019/028/01 REV:G (Proposed floor plans and elevations)

- 2) The external surfaces of the development hereby permitted shall be constructed entirely from the materials which are shown on the approved plans and those specified on the planning application form submitted in respect of planning permission Ref: 3/19/2320/HOU, namely render and Eternit composite slates.
- 3) The erection of fencing for the protection of any retained tree/hedge/shrub shall be undertaken in accordance with Gwydion's Tree Consultancy document ref: GH1961 dated 31/07/19 (the approved plan and particulars) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

***** END OF CONDITIONS *****