



Appeal Decision

Site visit made on 28 October 2021

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2021

Appeal Ref: APP/V1260/D/21/3278879

184 Stanpit, Christchurch, BH23 3NE

- 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 P Simmons against the decision of Bournemouth Christchurch and Pool Council.
 - The application Ref 8/21/0209/HOU, dated 3 March 2021, was refused by notice dated 29 April 2021.
 - The development proposed is extensions and alterations to existing property. The proposal includes a small single storey rear extension and alterations to existing side extension. Conversion of the loft space and extension of the main roof over the existing balcony to create an enclosed balcony. Solar cells.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have adopted the description of the proposed development on the Council's decision notice as it more accurately describes the proposal.
3. On 20 July 2021 a revised version of the National Planning Policy Framework (Framework) was published. However, the policies that are relevant to this appeal have not changed and there was no need, therefore, to invite the parties to make further submissions in response to the revised Framework.

Main Issues

4. The main issues are: (a) the effect of the proposed development on the character and appearance of the conservation area; and (b) the effect of the proposed development on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

5. The appeal site lies within the Stanpit and Fishermans Bank Conservation Area (SFBCA). Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires, therefore, that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Similar advice is to be found in the Framework.
6. Extracts from the Conservation Area Appraisal & Management Plan (Appraisal) for the SFBCA have been reproduced in the appeal submissions. The Appraisal

sets out the architectural and landscape qualities that contribute to the importance of the SFBCA. This includes the area referred to as Stanpit South and Argyle Road, which includes the appeal site. The Appraisal states that this area largely comprises classically proportioned Victorian and Edwardian two storey houses, whose consistency is an important part of the cohesion of this part of the SFBCA. On Stanpit, the Appraisal continues by stating that the building line closely follows the curve of the road and houses are defined by low, mainly red brick boundary walls enclosing front gardens. Whilst the Appraisal states that Stanpit is more divided in terms of cohesiveness, some cohesion is provided by stylistic features, such as gabled projecting bays.

7. Based on my observations on site, this Appraisal provides an accurate analysis of the architectural and historic qualities that contribute to the importance of this part of Stanpit to the whole of the SFBCA. The appeal site occupies a prominent and highly visible position within this part of Stanpit. Although the host property has been altered and extended, it still retains a number of the distinctive features and detailing that the Appraisal identifies as providing cohesion and consistency in this part of the SFBCA. The appeal site and the properties that surround it, on this side of the road, make an important contribution to the special character of this part of the conservation area.
8. Within that context, I agree with the Council that the existing side extension to the host property is subservient and more consistent with its original character and detailing. However, the same is not the case for the proposed first floor extension, with its flat roofed dormers, higher eaves, casement windows and part flat roof. Combined, these features result in an extension that would be overly dominant and unsympathetic to the host property and to this part of the streetscene. It would result in a horizontal emphasis directly at odds with the vertical emphasis of the original building, an example of the latter being the existing gabled projecting bay, a feature highlighted in the Appraisal.
9. Overall, the scale, form and design of the proposed first floor side extension would, in my judgement, appear out of character with the existing pattern of development and with this part of the historic streetscene. It would introduce a discordant feature that would draw attention away from the historic qualities and detailing of the host property, and the cohesion it secures with adjoining properties of the same period.
10. The Appellant has referred to the change that has and continues to occur in the area. That may be so, but it does not provide justification for the proposed extension. Reference has also been made to the changes made to the design of the scheme following pre-application discussions with the Council, but again, that does not affect the findings I have reached on this issue.
11. For the reasons set out above, I find that the appeal proposal would result in significant harm to the character and appearance of the area, and as such it would not preserve nor enhance the SFBCA.
12. Given the above findings and as is required, particularly by the Framework, considerable importance and weight must be attached to the harm to this designated heritage asset. The appeal proposal would, in my judgement, lead to less than substantial harm to the significance of the designated heritage asset. The level of harm would be high, and there are no public benefits, delivering either economic or social or environmental objectives that would outweigh that harm.

13. Accordingly, I find that the appeal proposal would be contrary to paragraphs 189, 197 – 200 and 202 of the Framework, policies HE1, HE2 and BE4 of the Christchurch and East Dorset Local Plan Part 1 Core Strategy (2014) (CEDLP) and saved policy H12 of the Borough of Christchurch Local Plan (2001) (BCLP).

Living conditions of neighbouring occupiers

14. Policy HE2 of the CEDLP states that new development will be permitted where it would be compatible with and would improve its surroundings through, amongst other criteria, its *"Relationship to nearby properties including minimising general disturbance to amenity."* A similar approach is set out in saved policy H12 of the BCLP. Both policies are consistent with those in the Framework, including paragraph 130 f), which emphasises the need to secure development *"with a high standard of amenity for existing and future users."*
15. The proposed first floor side extension would be located above the existing garage extension and would replace the existing triangular feature window. The existing side wall to this extension is located on the boundary with 186 Stanpit (No.186), the eaves of which is marginally higher than the lintol to the front projecting bay window (as shown on the submitted existing 'Side (SE) Elevation' plan). The roof to the existing extension then slopes away from No.186 into the hip end of the main roof. The proposed first floor side extension would result in a significant increase in the height of the existing side wall, and, as extended, its eaves would broadly align with the centre of the first floor window to the front projecting bay (as shown on the submitted proposed 'Side (SE) Elevation' plan). The new side wall would also extend further back to enclose the existing balcony.
16. As I observed from visiting No.186, the area immediately facing the existing side wall (to the host property) is used as a private amenity area by the occupants of that property. There are also a number of windows and doors within the rear of the ground floor to No.186, as well as within the rear ground floor extensions, that directly face onto this wall. A number of these windows and doors serve habitable rooms.
17. Given the above, the extended depth and height of the proposed side extension would, in my judgement, have a harmful effect on the private amenity area and ground floor windows and doors to the rear of No.186. The proposal would result in an unacceptable sense of enclosure and would be overbearing to the occupiers of this property. It would also be visually intrusive to those occupiers, dominating the outlook from their windows and doors and from the private amenity area.
18. The Appellant refers to the fact that there have been no objections from the occupiers of No.186, but that does not affect the findings I have reached on this issue. Policy HE2 requires new development to be compatible in its relationship with nearby properties and the appeal proposal, for the reasons set out above, fails to comply with this test. New development should also secure a high standard of amenity (living conditions) for both existing and future occupiers.
19. Reference has been made to a modern extension to a property in Argyle Road, but I have not been provided with any detailed background to this and I am unable, therefore, to reach a view as to whether it is comparable. Even so, as is required, I have considered the proposal on its individual merits and with

regard to the specific circumstances of the case. The Appellant has also referred to the benefits the proposal would secure through enclosing the existing rear balcony, reducing any overlooking that may currently occur. That may be so, but it's not a matter that has been raised by the Council and it again does not affect my findings on this issue.

20. I find, therefore, that the impact of the proposed first floor side extension on the living conditions of the occupiers of the ground accommodation of No.186 would be unacceptable and that the proposal fails to comply with policy HE2 of the CEDLP, saved policy H12 of the BCLP and paragraph 130 f) of the Framework

Conclusions

21. For the reasons given above and having taken all other matters into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR