



Appeal Decision

Site visit made on 17 May 2022

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2022

Appeal Ref: APP/V1260/D/22/3296249

5 Links Road, Poole, BH14 9QP

- 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 Payne against the decision of BCP Council.
 - The application Ref. APP/21/01704/F, dated 25 November 2021, was refused by notice dated 16 February 2022.
 - The development proposed is alterations, extensions and remodel of existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for alterations, extensions and remodel of existing dwelling at 5 Links Road, Poole, BH14 9QP in accordance with the terms of the application, Ref. APP/21/01704/F, dated 25 November 2021, and the plans submitted with it and subject to the conditions listed below.
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those shown on the approved plans and in section 5 of the application form.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 002; 400; 220; 300; 310; 200; 210 and Tree Protection Plan TC1 (all received by the Local Planning Authority on 25 November 2021).
 - 4) The development hereby permitted shall be carried out in full accordance with the submitted Arboricultural Impact Assessment & Method Statement (including Plan TC1) (prepared by Treecall Consulting Ltd dated 26 October 2021), received by the Local Planning Authority on 25 November 2021.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning Act 1990 or any subsequent re-enactments thereof, the flat roof area of the extensions hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Application for Costs

2. An application for costs was made by the Appellant against BCP Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the appeal proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal site is located on southern side of Links Road and comprises a detached chalet bungalow with gardens to the front and rear. Links Road comprises a mixture of predominantly detached properties including bungalows, chalet bungalows and two storey properties which vary in terms of their age, style, scale, form, layout and materials. A number of properties have been extended, remodelled or redeveloped.
5. The appeal proposal includes the construction of extensions to the front, rear and first floor, as well as changes to some of the external materials to the host property. The Council granted planning permission in November 2021 for similar extensions and alterations to the host under reference APP/21/01041/F. The layout and building footprint of the appeal proposal is broadly similar to that approved in November 2021 and I understand from the evidence before me that the principal difference between the two schemes is that the approved development included a hipped roof whereas the appeal proposal includes a flat roof. The Council contend that the modern boxy appearance of the proposed development would not reflect the local pattern of development.
6. The Council's objection refers to policy PP27 of the Poole Local Plan (November 2018) (PLP). This policy seeks, amongst other requirements, to secure a good standard of design from new development that reflects or enhances the local pattern of development in terms of layout, scale, massing, materials, landscaping and visual impact. This approach is broadly consistent with that set out in paragraph 130 of the National Planning Policy Framework (July 2021) (Framework), albeit part c) to that paragraphs states that these considerations should not prevent or discourage appropriate innovation or change.
7. Within the above context, the Council do not object to the layout and footprint of the proposed development, which is a finding I concur with. In relation to the proposed flat roof design, I do not agree with the Council's contention that this appears boxy or out of keeping with the local pattern of development. Whilst the existing chalet bungalow has an attractive appearance, it is not of any particular merit and its replacement by a modern innovative design, as proposed, would, in my judgement, enhance the streetscene. I accept that there would be a material change compared to the appearance of the host property and the approved November 2021 scheme, particularly when viewed from the road, however, given that the properties either side comprise a chalet bungalow and a single storey bungalow, with varying roof forms and ridge heights, the proposed flat roofed design would not introduce a visually dominant or incongruous feature into the streetscene.
8. As I observed on site, there are numerous examples within the surrounding area of properties that have been extended or remodelled, resulting in a variety of modern roof styles and forms. There is no uniform design, scale or

character to the road, and in some cases extended or remodelled properties with flat or mono pitch roofs sit next to smaller scale properties as well as larger two storey properties, but, even so, these relationships do not detract from the character and appearance of the area and instead add some interest and variety to the streetscene.

9. In relation to the host property, this would essentially be remodelled using an attractive pallet of materials and all the proposed changes, including the proposed flat roof, would refresh the appearance of the host. Indeed, the replacement of the approved hipped roof with the proposed flat roof would, in my view, be more compatible visually with the modern design of the remodelled host. Moreover, as the flat roof would result in a reduction in the height of the remodelled building, the appeal proposal would appear to sit more comfortably on the site than the approved November 2021 scheme.
10. Accordingly, I find that the appeal proposal would be compliant with policy PP27 of the PLP .

Conditions

11. The Council has suggested various conditions which I have considered against the advice in the Framework and the Planning Practice Guidance (PPG) chapter on the use of planning conditions. Conditions requiring compliance with the submitted plans and for materials to reflect those shown on the approved plans and on the application form, are necessary and reasonable to secure a high-quality development and to reflect the details included within the application. I have, however, added a list of approved plans for clarity.
12. A condition to ensure that the proposed development minimises any threat to the future health of existing trees is also necessary and reasonable. I have, however, modified the wording suggested by the Council to provide clarity over the approved method statement that is being referred to and instead of a separate condition, requiring a site visit, included further wording that requires the development to be carried out in full accordance with the submitted arboricultural impact assessment and method statement.
13. The PPG states that permitted development rights should only be removed in exceptional circumstances. The Council have suggested that these rights should be removed to prevent the flat roof elements of the proposed extensions being used as a balcony, roof garden or similar amenity area. Based on the submitted plans and my observations on site, I am satisfied that those exceptional circumstances exist in this case and that these rights should be removed in the interests of protecting the living conditions of the occupiers of neighbouring properties.

Conclusion

14. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR