



Appeal Decision

Site visit made on 22 July 2022

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 August 2022

Appeal Ref: APP/V1260/W/21/3287422

2 Old Coastguard Road, Poole BH13 7RL

- 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 Dr S Sudhir against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref APP/21/00977/F, dated 24 June 2021, was refused by notice dated 22 October 2021.
 - The development proposed is the demolition of the existing bungalow and annexe, and the erection of a detached, dwelling with integral garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal, involving the demolition of the existing structures and the construction of the new dwelling, on the character and appearance of the area, having regard to the location within the Sandbanks Conservation Area.

Reasons

The Conservation Area and its significance

3. The appeal site lies within the Sandbanks Conservation Area, in particular, the section described in the Sandbanks Conservation Area – Character Appraisal and Management Plan (2009) (the Character Appraisal) as Group 1: Old Coastguard Road. This section of Old Coastguard Road includes a grouping of dwellings either side of the road and, at the end of the cul-de-sac, the Royal Motor Yacht Club site with large boat shed. The buildings on the broadly northern side of the road include a mix of 1930s extended dwellings and redevelopments with a more contemporary appearance. On the southern side are, in particular, 3-10 Old Coastguard Road (Coastguard Cottages), which the Character Appraisal describes as the architectural “centrepiece” of the cul-de-sac named after them.
4. The Coastguard Cottages are an attractive terrace of dwellings that the Character Appraisal explains are reported to be the oldest buildings on Sandbanks and linked to the history of the Trinity House lighthouse and the first lifeboat station approved in 1864. Photographs submitted as part of the appeal show this terrace of cottages surrounded mainly by sand dunes and therefore give credence to the case made that these buildings are some of the oldest in the area.

5. The Coastguard Cottages themselves are positioned behind their front gardens and make an important and positive contribution to the character and appearance of this part of the Sandbanks Conservation Area. The Character Appraisal identifies them as Locally Listed Buildings. I consider that the terrace should be considered as a non-designated heritage asset.
6. The appeal site, 2 Old Coastguard Road, is located on a bend within the road and beyond one end of the Coastguard Cottages. The Character Appraisal describes the building as a good example of a well-proportioned and largely unaltered 1930s bungalow in an important location that contributes to the scale and character of this group of buildings. I agree and the building is identified in the Character Appraisal as being a "Contributing Building" to the Sandbanks Conservation Area.
7. In particular, the bungalow at No 2 is positioned a reasonable way back in its plot such that there is some separation to the end of the Coastguard Cottages. This positioning and fairly modest footprint of the bungalow allows the end of the terrace to be exposed and for the frontage of Coastguard Cottages to be experienced in some surrounding space within the cul-de-sac. This assists with providing part of the setting to the Cottages.
8. From the other direction, when leaving the Yacht Club and travelling along Old Coastguard Road, the position of the bungalow at No 2 together with the roof sloping away from the road frontage, limits street scene views of the bungalow. When the bungalow does come into view, beyond the end of the terrace, the hipped roof reduces the visible bulk of the building. As a consequence, in these views, the bungalow has a fairly limited impact and does not intrude within this part of the setting of the Coastguard Cottages. Overall, No 2 has a generally modest presence such that it does not compete with the adjoining Coastguard Cottages thereby allowing an appreciation of this building group within the Conservation Area.
9. Furthermore, the bungalow with its fully hipped roof, and the set back of the end elevation from the adjoining side boundary with Old Coastguard Road, gives a feeling of spaciousness when approaching that section of the Conservation Area. This is a positive feature resulting from the positioning and design of the present building.
10. In a space between the bungalow and the end of the terrace, and set back in the plot, is a small, single storey building. It is presently used as ancillary accommodation to No 2 and referred to as an annexe, but also has been widely referenced in the submissions as the Dhobi or wash house. It is an unusual building with a fully hipped roof and rendered elevations. It has a lean-to at the rear.
11. The appellant has set out a case and information that questions the importance and history of this annex/Dhobi building. This includes the extent of physical changes to the building that have taken place including UPVC, its present condition and modern interventions, that the title to the land has excluded the building from 3 Coastguard Cottages and that it now and has previously fallen within the curtilage of No 2.
12. I have carefully considered all the evidence on the building and the strong indications are that it was associated with the Coastguard Cottages and was, in all likelihood, built at the same or a very similar time. The analysis leads to the

conclusion that the building, which I will refer to as the Dhobi, was the wash house for the residents of the terrace and therefore there is an historical and social link between the Dhobi and the Coastguard Cottages. This view is supported by some detailed evidence in representations, including from some local residents, a consultant acting on behalf of two local residents and the author of a book on the history of Sandbanks. Furthermore, on the ground, I noted that the side doorway to the Dhobi, which looks like an original doorway from my site inspection, faces towards the rear garden of the Cottage at No 3 and this gives another indication of the association between the two buildings.

13. Given the considered age and relationship of the Dhobi with Coastguard Cottages, I consider that the Dhobi is of historical and social significance as an interesting and important building that aids the understanding of the built evolution of Sandbanks. More recently, the information indicates that the Dhobi was used as an artist's studio by the then resident of 3 Old Coastguard Road, Mrs Pauline Gyles, who is said to have been a renowned miniaturist both locally and nationally. This adds to the historical and social significance of the Dhobi.
14. The appellant has highlighted that on the Council's web site, the plan of the Sandbanks Conservation Area shows the Locally Listed Buildings but this does not include the Dhobi. Also, it is explained that the Council's Heritage Assets Supplementary Planning Document (2013) does not list the Dhobi as being Locally Listed either, whereas the adjoining Coastguard Cottages are shown as such. Nevertheless, the Character Appraisal plan identifies the Dhobi as a Locally Listed Building and I attribute this original document the greatest weight rather than the more recent documents. Even if there is some doubt on this matter I am satisfied that the evidence merits the Dhobi being considered as a non-designated heritage asset¹.
15. I have noted the comments of the appellant regarding the condition and alterations to the building, but it appeared to me at my site visit to be in reasonable condition and the changes that have been made do not materially undermine its merits as a non-designated heritage asset.
16. The Dhobi is not prominent within the street scene. However, with its reasonably low height it does provide a gap between buildings at first floor level and this helps with the balance between spaces and buildings within this part of the Conservation Area. The Dhobi is also important for the historical and social reasons explained above.
17. I acknowledge the more contemporary and quite sizeable buildings on the other side of the road and which are also located within the Conservation Area. They are part of the wider character of the road but they do not form such an immediate visual relationship to the appeal site in the same way as the Coastguard Cottages and No 2 does within the street scene.
18. In concluding on the information I have analysed above, the significance of this part of the Sandbanks Conservation Area includes the historical, architectural and social importance of the Coastguard Cottages and the associated Dhobi, all of which merit non-designated heritage asset status. Additionally, the bungalow at No 2 makes an architecturally and visually important contribution to this part of the Conservation Area on this prominent corner site. Furthermore, the relationship of the layout of buildings and spaces is an important contributory

¹ I have had regard to the criteria for the selection of local heritage assets in the Heritage Assets SPD

factor to the significance of the Conservation Area on this side of Old Coastguard Road.

The effect of the demolition of the existing structures

19. When considering the details of the appeal scheme, I am mindful of the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of any land or buildings in a Conservation Area². The Conservation Area is a designated heritage asset. Furthermore, the National Planning Policy Framework (the Framework), requires the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application, and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
20. The scheme would include the demolition of the bungalow and the Dhobi. I have explained above the importance and significance of these buildings to the Sandbanks Conservation Area. The removal of these buildings would, therefore, cause harm to the Conservation Area and undermine part of its significance. In particular, the loss of the Dhobi with its historical association with the Coastguard Cottages, and its contribution to the wider evolution of Sandbanks from its earliest built form, would be especially harmful. It is an unusual and rare building in this context within the Conservation Area. This harm weighs against the scheme. In accordance with the Framework, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

The replacement dwelling

21. It is also necessary to consider the effect on the Sandbanks Conservation Area of the proposed replacement dwelling so that this impact, either positive, neutral or negative, can be considered in the overall balance of considerations.
22. The replacement building would be contemporary in appearance and that may not result in harm, in itself. The external materials, while a little dark in some sections, would be generally typical and not unreasonable for a contemporary development of this type, in this general area. However, most of the new building would be sited on about the same elevated base level as the existing bungalow. This base level for the construction, together with the two storey height extending across much of the plot, would produce a building with a bulky and overly imposing presence. It would be such that the built form would overwhelm this fairly modest corner plot when viewed from the road in the vicinity of the site. This visually would manifest itself as an overdevelopment of the site which would harm the character and appearance of the Conservation Area.
23. In terms of the relationship to the surrounding buildings, relative to the present bungalow, the front of the new dwelling would be positioned forward in the plot. This positioning, in combination with its height, width and profile, would result in a built form that would visually compete with the end section of the Coastguard Cottages. The replacement dwelling would intrude into and harm this part of the setting to the non-designated heritage asset, and thereby the

² Section 72(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area, when viewed from areas in the vicinity of the bend in the road.

24. When approaching the appeal site from the Yacht Club, the position of the dwelling forward in the plot, together with its profile, would mean that the replacement dwelling would be much more visible than the existing bungalow at No 2 in some views in association with the terrace. In some of these views, the replacement dwelling would form a fairly dominant backdrop to the end of the terrace and would unacceptably diminish this part of the setting to this non-designated heritage asset within the Sandbanks Conservation Area.
25. Furthermore, the position of the end part of the new building towards the entrance road section of Old Coastguard Road, especially the projecting first floor section, would bring the building quite close to this side boundary. From this location, the result would be an unduly conspicuous built form that would erode the present reasonably spacious aspect to this entrance to the Conservation Area.
26. A landscaping scheme, even if comprehensive, would not address the harm I have identified from the provision of the replacement dwelling.

Heritage conclusions

27. Drawing all these matters together, the removal of the two buildings on the site would be harmful to the character and appearance of the Conservation Area. This harm would be compounded by the scheme for the replacement dwelling both in its adverse effect on the site itself and to this part of the Conservation Area. The overall effect of the development would be to harm the character and appearance of this part of the Sandbanks Conservation Area and therefore detract from the significance of this designated heritage asset. Nevertheless, the harm to the Conservation Area as a whole would be less than substantial within the meaning of paragraph 202 of the Framework. In accordance with the Framework, this harm should be weighed against the public benefits of the proposal.
28. The appellant has explained the benefits that are considered would result from the scheme. These include that the proposed dwelling would offer environmental benefits due to the use of renewable energy sources and energy efficiency from the high levels of insulation. A further benefit would accrue from an electric charging point to promote sustainable travel. The building would be designed to ensure flood protection, make efficient use of the site and contribute to a wider mix of housing types in the Sandbanks area. The construction works and related expenditure would provide a boost to the local economy and local employment during the period of the works, although this would be for a limited period. However, the scheme involves the replacement of a single dwelling which, with the Dhobi, appears to be in reasonable condition. Taking all these matters in to account, I assess that the cumulative benefits of the scheme would be reasonably minor and should afford only limited weight in support of the appeal proposal.
29. The Framework advises that any harm to the significance of a designated heritage asset should require clear and convincing justification and that great weight should be given to the asset's conservation, irrespective of the level of potential harm. I have found that the public benefits of the proposal should afford limited weight and therefore would not outweigh the harm to this part of

the Sandbanks Conservation Area and its significance which, in accordance with the Framework, is required to be attributed great weight.

30. Added to the overall heritage balance is the loss of the Dhobi and the adverse effect on the setting of the Coastguard Cottages. The Dhobi is a building of high importance as a non-designated heritage asset and its demolition would result in the loss of its significance. I attach substantial weight against the scheme from the loss of Dhobi building. The Coastguard Cottages are also of high importance but the terrace would not be physically impacted itself and therefore I attribute moderate weight to the adverse impact on its setting as a non-designated heritage asset. These are matters, in the overall balance, that collectively add substantial further weight against the scheme.
31. In the light of the above analysis, I conclude that the proposal would harm the character and appearance of the area, not preserve or enhance the character or appearance of this part of the Sandbanks Conservation Area and adversely affect non-designated heritage assets. In addition, the proposal would conflict with Policies PP27 and PP30 of the adopted Poole Local Plan 2018 which seek, amongst other things, to preserve or enhance the historic, architectural and archaeological significance of heritage assets, and their settings, in a manner that is proportionate with their significance.

Other Matters

32. There have been a range of objections to the scheme and one letter of support. I have considered the substantive planning issues raised by these representations in the analysis above.
33. The appellant in support of the proposal has also referred to two planning permissions for development within Old Coastguard Road and two appeal decisions from elsewhere in the area.
34. In the case of the redevelopment of the dwelling at 18 Old Coastguard Road³, the Planning Report explains that the existing dwelling did not have any particular architectural merit or value in terms of its contribution to the character and appearance of Old Coastguard Road and was identified as having a neutral contribution to the Conservation Area in the Character Appraisal. The replacement building would be contemporary in appearance and the site is positioned on the other side of the bend from the appeal site. The Planning Report also explains that in the case of No 18, because of the scale, design and the use of finishing materials, that the development would preserve the character and appearance of the Conservation Area.
35. Furthermore, the Report explains that, amongst a range of factors, due to its position and the intervening presence of other contemporary style dwellings within the cul-de-sac, the proposed scheme would preserve the setting of the Locally Listed Coastguard Cottages. I saw the position of this plot at my site visit. There are clear differences with the redevelopment at No 18 compared with the present scheme, including the lack of harm from the removal of the existing building and the different and acceptable relationship with the Coastguard Cottages. Consequently, I attribute the permission at No 18 limited weight in support of the appeal scheme.

³ Planning permission APP/20/00688/F – granted 20/10/2020

36. The other permission within the cul-de-sac that has been referenced is at 12 Old Coastguard Road⁴. The original building in this case was identified as being a Positive Building in the Sandbanks Conservation Area. The Planning Report for this application considered that the proposed replacement dwelling, by virtue of its appearance and scale, would sit more comfortably with the other buildings on this side of Old Coastguard Road and therefore would contribute positively to the character of the area. It was on this basis that the Planning Report concluded that the proposal would result in a public benefit that would outweigh the loss of the existing building.
37. This clearly is a matter of planning judgement. The site at No 12 is opposite the Coastguard Cottages and has a different position and relationship to these buildings than the appeal site. It is also set in a different context because of the contemporary buildings on this side of the road. In these circumstances, the situation at No 12 is not directly applicable to the appeal site which has a different position and greater prominence within Old Coastguard Road and includes the Dhobi, a non-designated heritage asset. Consequently, while No 12 is reasonably close to the appeal site, this permission does not alter my view on the unacceptable harm that the appeal scheme would cause for the reasons explained. Again, I consider that this permission should merit limited weight in justifying the present proposal.
38. The appeal decision at Wilderton House⁵ involved the loss of a non-designated heritage asset within a Conservation Area. However, the considerations were substantially different than in the present case. The information indicates that the non-designated heritage asset at Wilderton House was in fairly poor repair, and that scheme involved the demolition of a building which contained 7 flats and its replacement with 25 apartments. The public benefits of that scheme to be balanced against the harm to the heritage asset was therefore different than in the present case. The circumstances in that case are not especially similar or instructive to the site specific issues in this appeal where the planning considerations concern the replacement of a single dwelling with no net gain in housing units. I attribute the Wilderton House appeal decision limited weight in my considerations.
39. The other appeal decision is at The Sloop⁶ and this was a scheme that would provide a net gain of 72 flats. This was a proposal where the presumption in favour of sustainable development was engaged and this, and the other benefits, including the provision of additional housing, was judged to outweigh the loss of the non-designated heritage asset. It does not appear that the site was located within a Conservation Area. The considerations and the planning balance in the decision at The Sloop are therefore quite different from the balance of considerations with the present proposal. The Sloop appeal decision should afford very little weight to aid the assessment of the issues in this appeal.

Conclusion

40. The proposed scheme in this appeal would harm the character and appearance of the Sandbanks Conservation Area and its significance for the reasons set out in detail above. This is a matter that should be attributed great weight against

⁴ Planning permission APP/12/01104/F – granted 18/12/2012

⁵ APP/Q1255/W/19/3230105 - Land at 2 Wilderton House, Wilderton Road, Poole BH13 6EE

⁶ APP/V1260/W/20/3264947 - The Sloop, 5 Commercial Road, Poole BH14 0HU

the scheme. The proposal would also cause harm to non-designated heritage assets which adds further substantial weight against the development. The benefits of the scheme, which the appellant has identified in the application and appeal papers and which I have summarised above, should be attributed limited weight. It follows that the identified harm and resulting development plan conflict would clearly outweigh the benefits.

41. For the reasons given above, the scheme would not comply with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict. I therefore conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR