



Appeal Decision

Site visit made on 26 September 2022

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2022

Appeal Ref: APP/V1260/W/21/3289549

Flat 5, 11 Alyth Road, Bournemouth BH3 7DF

- 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 M. De Kment against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2021-6548-S, dated 19 July 2021, was refused by notice dated 8 October 2021.
 - The development proposed is alterations and first floor rear extension to extend and convert an existing bedsit flat into a 2 bedroom apartment.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The officer report draws attention to various inaccuracies and inconsistencies on the submitted plans. The appellant has provided corrected plans for the appeal. These do not change the proposal itself and therefore no party would be prejudiced if I were to determine the appeal against the revised plans.

Main Issues

3. The main issues are:
 - a) whether the proposal would preserve or enhance the character or appearance of the Meyrick Park and Talbot Woods Conservation Area; and
 - b) the effect of the proposed development on the occupiers of The Coach House, with particular reference to privacy, outlook and sunlight.

Reasons

Conservation area

4. The appeal site is located in the northern half of the Meyrick Park and Talbot Woods Conservation Area within a quiet residential neighbourhood. The area is characterised by substantial, detached houses set within spacious plots in a verdant setting. The streets are lined with trees and the properties are set behind established gardens fronted by low boundary walls and hedges.
5. No 11 Alyth Road has been subdivided into 6 flats but it retains the appearance of a single dwelling. The building is typical of the interwar architecture which prevails in the street and although individual designs vary there is a pleasing harmony of scale and form. Many of the properties in the road, No 11 included,

are identified in the Conservation Area Appraisal¹ (CAA) as positive contributors to the character and appearance of the conservation area.

6. No 11 has had a single-storey, flat roof extension constructed at the rear of the building. This projects from the back wall by 6.7 m and extends the full width of the property. The extension has a large footprint but its modest height makes it a subordinate addition with limited visibility from the street.
7. The proposal is to extend above the flat roof with a first storey. This would enlarge a bedsit flat to create a two bedroom apartment. The extension area is shown on the plans as 83.75 m². The new extension would be predominantly flat roofed with a section of pitched roof around its perimeter. The form of the roof would relate poorly to that of the existing building and its design would be incongruous and contrived, despite the intention to provide subservience. The height, depth and width of the extension would combine to make it a bulky addition, the scale of which would be materially harmful to the character and appearance of the host building.
8. The deep flanks of the extension would be visible from the street, particularly when the trees are not in leaf, but also from adjoining residential properties. The subdivision of No 11 into flats has succeeded in maintaining the appearance of the building as a single dwelling. However, the proposal would result in a building which is uncharacteristically large for a family home and it would be undesirable in drawing attention to the fact that the building is in use as flats.
9. The CAA notes within its section titled 'Problems, pressures and capacity for change' (p.109) that there are continual pressures within the conservation area created by the demand for excessive additions and extensions. The proposal is symptomatic of those pressures and does not achieve the subservience sought by the guidance. This weighs against the proposal.
10. Accordingly, I conclude that the scheme would fail to preserve or enhance the character or appearance of the Meyrick Park and Talbot Woods Conservation Area. It would conflict with Policies CS39 and CS41 of the Bournemouth Local Plan: Core Strategy (2012) (CS) and Policy 4.4 of the Bournemouth District Wide Local Plan (2002) (LP) insofar as these seek to protect heritage assets and promote high quality design within conservation areas, taking account of matters such as scale, height, form and massing.

Living conditions

11. The proposed extension would be constructed directly above the ground floor flat known as The Coach House. This property has its own patio and garden, which together occupy the majority of the original rear garden to No 11. Residents of the other flats within the building have access to a separate fenced-off communal area in the north-western corner of the plot.
12. There are some existing views onto the garden from a window within the dormer serving the second floor flat, and at a distance from neighbouring properties. However, the patio enjoys a good level of privacy. The flat roof of the existing extension acts to block views from the first floor flat and the height of the fencing around the communal garden prevents casual overlooking.

¹ Meyrick Park and Talbot Woods Conservation Area Appraisal (2009)

13. The proposal would introduce a row of four large windows to the rear elevation, immediately above the patio doors for The Coach House. These would serve the living room and master bedroom of the new two bedroom apartment. The windows would afford direct and close range views onto the patio below. This would be highly intrusive for the occupants of The Coach House who would feel constantly overlooked. There would be a substantial loss of privacy.
14. The extension would also assert its physical presence upon users of the patio area. The height and mass of building would be oppressive and overbearing, especially in comparison to the present situation whereby the patio feels open. The appellant contends that there would be no reduction in sunlight reaching the patio, but as clearly demonstrated by the photographs submitted by the occupiers of The Coach House, the first storey extension would cast a longer shadow than the existing single-storey structure. The appellant states that the Council's assessment is fundamentally flawed but provides no technical evidence to support their case.
15. Overall, I consider that the cumulative impacts of the proposed extension on the occupants of The Coach House would be very serious indeed. The degree to which these neighbours could enjoy their patio as an outdoor amenity space would be significantly diminished and this would be to the detriment of their reasonable living conditions. There is a clear conflict with CS Policy CS41 which requires new development to enhance the amenities of neighbouring residents.

Conclusion

16. The proposal would fail to preserve or enhance the character or appearance of the Meyrick Park and Talbot Woods Conservation Area and it would have an unacceptable adverse impact on the living conditions of the occupiers of The Coach House. This brings the scheme into conflict with the development plan taken as a whole. The proposed improvements to the accommodation of Flat 5 would not outweigh the harm and as such there are no material considerations to justify a decision otherwise than in accordance with the development plan.
17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR