



Appeal Decision

Site visit made on 27 September 2022

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th October 2022

Appeal Ref: APP/V1260/D/22/3305541
99, Mudeford, CHRISTCHURCH BH23 4AE

- 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 S Bowler against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 8/21/0198/HOU, dated 1 March 2021, was refused by notice dated 29 May 2022.
 - The development proposed is to alter approved flat roofed garage to pitched roof garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Mudeford Quay Conservation Area (CA).

Reasons

3. The appeal site is located within the CA which is characterised by groupings of traditional buildings and the resultant spaces, views and vistas, and the interaction with natural features. There is a statutory duty to pay special regard to the desirability of preserving or enhancing the character or appearance of the area; and great weight should be given to the asset's conservation.
4. The proposal site is set behind a road fronted property in an area characterised by the openness of intermittent gaps between small scale historic and modern buildings. Mature trees and glimpsed views towards the waterside and natural landscape setting punctuate the street scene, making a significant contribution to the setting of the CA.
5. Whilst a neighbouring property includes a pitched roof garage that reduces the potential for increased glimpsed views towards the harbour, it is nevertheless part of the existing street scene, and is of a smaller scale and different orientation when compared with the proposal. It was clear from my site visit that the eye would be drawn towards the bulk and scale of the proposed pitched roof, which would dominate the foreground space between buildings. Despite the range of designs and roof pitches found in the area, the proposal would nevertheless further erode the ability to appreciate the openness of remaining glimpsed views towards the harbour, that currently exist.

6. The scale and design of the existing building is simple and reflects the modest proportions found in many of the older two storey properties, albeit that the main host building concerned has a 3rd storey in the roof. This scale and design is a special quality of the designation highlighted in the Conservation Area Appraisal and Management Plan 2008. In that context, the introduction of a garage roof that would exceed the height of the eaves of the main host dwelling, consuming a large proportion of its frontage, would be an unduly prominent addition to the building. As such, it would harmfully erode the simple and modest elevational design features of the main host dwelling, and the setting of the adjacent building, which would neither preserve nor enhance the contribution this or the adjacent building makes to the CA. Although the proposal would introduce non protruding solar panels, a matching slate roof and would be subservient in height to the main host dwelling, any such beneficial features would not mitigate the harm I have identified.
7. The proposal would cause less than substantial harm to the CA's significance as a designated heritage asset due to the relatively small scale of the development proposed. Having regard to the harm identified as being less than substantial, it is necessary to consider any public benefits of the proposed development. Although there may be very limited public benefits in terms of the supply of renewable energy through the proposed introduction of solar panels, these would not be sufficient to outweigh the harm.
8. For the above reasons I conclude on the main issue that the proposal would fail to preserve the character or appearance of the CA. Consequently, the proposed development would be in conflict with Policies HE1 & HE2 of the Christchurch and East Dorset Local Plan Core Strategy, and saved Policy BE4 of the Borough of Christchurch Local Plan which together in respect of this issue, seek to conserve and enhance the CA and require high quality design, reflecting and enhancing areas of recognised local distinctiveness. The proposal would also conflict with section 16 of the National Planning Policy Framework, which seeks to conserve and enhance the historic environment.

Conclusion

9. For the reasons above, and taking into account all other matters raised, I conclude that the development would fail to accord with the development plan as a whole and therefore the appeal should be dismissed.

J Hills

INSPECTOR