



Appeal Decision

Site visit made on 25 April 2023

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2023

Appeal Ref: APP/V1260/D/23/3317355

20 Freshwater Road, Christchurch, BH23 4PD

- 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 Ben Pratley against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref: 8/22/1008/HOU, dated 22 November 2022, was refused by notice dated 18 January 2023.
 - The development proposed is "first floor and single-storey extensions to side, create two balconies to front. Add cladding to exterior walls".
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Decision

1. The appeal is dismissed.

Main Issues

- i) The main issues are the effect of the development on: - i) the character and appearance of the area; and ii) protected trees and species.

Reasons

Character and Appearance

2. The residential area is a short distance from the beach. It has a spacious and verdant character comprising large, detached properties with open frontages and many have first-floor balconies to the front. The appeal property is part of a group sited along a private driveway off Freshwater Road facing towards an area of open space which contains several trees. The detached 'L' shaped house is sited forward of, and at a different angle to, its neighbours, Nos.16 and No.18, with its entire flank elevation visible from Freshwater Road.
3. As a result of the proposal, the general profile of the flank elevation would be similar to the existing, although it would be appreciably closer to the neighbour. While the proposal is for side extensions, they would be positioned forward of the front elevation to No.18.
4. The cranked form of the single-storey extension would follow the shape of the plot and would be set a limited distance back from the road. It would result in the loss of a grassed area which visually forms part of the frontage and provides a physical break at a point where there is a significant change in the siting and orientation of the properties.
5. I acknowledge, from what I saw on site and the details provided by the appellant, that many of the properties in the locality have been extended and

have limited gaps to their side boundaries. Nonetheless, the appeal property does not have a regular plot arrangement, the parking in front is parallel to the house, and generally, there is less space around it. This would be accentuated by the extensions and the additional balconies which would result in a cramped form of development, out of keeping with the prevailing spacious character of the area.

6. I accept that the existing areas of grass to the front of the property could potentially be replaced with hardstanding. While the grass provides a softness it is the separation and setting the area provides which is important, and therefore this is a matter to which I attach limited weight.
7. The general design and proposed materials relate to the appearance of the host property and the surrounding area, and I have no reason to disagree with the Council's assessment that there would be no undue impact on the amenities of the neighbouring occupiers. However, the siting and scale of the development would be inappropriate for the plot and would have an adverse impact on the street scene to the detriment of the character and appearance of the area. The proposal would therefore be contrary to Policy HE2 of the Christchurch and East Dorset Local Plan (CEDLP): Part 1 Core Strategy which requires a high-quality design, including matters of layout, site coverage, visual impact and relationship with nearby properties and reflecting local distinctiveness.

Protected Trees and Bats

8. The pine trees on the open space in front of the appeal property make a significant contribution to the character of the area and are covered by a group Tree Preservation Order. There is a notable distance between the siting of the extension and the nearest trees which includes the intervening road, and there is no built form to the other side. Whilst no arboricultural details were submitted with the application to enable me to fully assess this aspect, there is nothing specific before me to suggest that the protection of the trees and any mitigation measures could not be secured via conditions.
9. At the time the application was submitted a bat survey could not be carried out. Subsequently, as part of the appeal, a preliminary bat roost assessment has been completed and submitted by the appellant which indicates that the building is not considered to hold the potential to support roosting bats. Whilst the Council has not had an opportunity to comment on that assessment as the appeal is to be dismissed this is not a determinative issue.
10. I am satisfied that these aspects could potentially be addressed to ensure that there would be no direct conflict with CEDLP policy HE2 and policy HE3 with regards to the relationship with existing trees and landscape quality, and policy ME1-safeguarding biodiversity. Nevertheless, having already found against the proposal on the main issue this would not alter my decision.

Conclusion

11. For the reasons set out and having regard to all other matters raised the appeal is dismissed.

G Ellis

INSPECTOR