



Appeal Decision

Site visit made on 24 July 2023

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd August 2023

Appeal Ref: APP/V1260/W/23/3316462

38 Britannia Road, Poole BH14 8BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mrs Nicola Forster against Bournemouth Christchurch and Poole Council.
 - The application Ref APP/22/01386/F, is dated 7 October 2022.
 - The development proposed is removal of existing roof, construction of new roof and associated sloping roof dormers, and construction of single storey ground floor extension.
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Decision

1. The appeal is dismissed in so far as it relates to the removal of the existing roof and the construction of a new roof and associated sloping roof dormers. The appeal is allowed in so far as it relates to a single storey ground floor extension, such that planning permission is granted for the construction of a single storey ground floor extension at 38 Britannia Road, Poole BH14 8BB in accordance with the terms of the application APP/22/01386/F, dated 7 October 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The single storey ground floor extension hereby permitted shall be carried out in full accordance with the following approved plan: GA_01 Rev B (only in so far as it relates to development at ground floor).
 - 3) The materials to be used in the construction of the external surfaces of the single storey ground floor extension hereby permitted shall match those used to the existing dwelling.

Applications for costs

2. An application for costs was made by Mrs Nicola Forster against Bournemouth Christchurch and Poole Council. That application is the subject of a separate Decision.

Preliminary Matters

3. A revised plan¹ has been submitted at appeal stage. This varies from the original plan² submitted by virtue of the inclusion of sloping side gables of slightly reduced size and setback positioning and the addition of a small hipped feature above the property's front bay. I also note the replacement of a

¹ Ref: GA_01 Rev B

² Ref: GA_01

Juliette balcony feature to the rear with a window. As the amendments made are minor and do not necessitate any alteration to the description of development that is under consideration, I am content that no party with a potential interest in the outcome of the appeal is prejudiced by me accepting the revised plan for the purposes of determination.

4. The Council's Appeal Statement indicates that it would have refused planning permission had it been in the position to do so. Its main concerns relate to the effect of the proposed works at roof level upon the character and appearance of the area and upon the setting of the Ashley Cross Conservation Area (the ACCA). I shall formulate the appeal's Main Issue on this basis, noting that no specific concerns have been raised with respect to the intended ground floor extension.

Main Issue

5. The effect of the proposed development at roof level upon the character and appearance of the area, having particular regard to its effect upon the setting and thereby the significance of the ACCA.

Reasons

6. The appeal property makes up part of a short row of four neatly designed two-storey properties that, despite minor modifications over time, are very similarly comprised. They exhibit two-storey front bays and hipped roofs. To the opposing ends of this short row there are properties of similar heights but differing forms, including modern properties with pitched roofs to the southwest. I note that where road-fronting gable features address Britannia Road's north-western side they are distanced from the site and are set beneath the full ridge height of the respective properties they serve.
7. The appeal dwelling sits outside of, but immediately adjacent to, the ACCA. The significance and special interest of the ACCA is drawn, in-part, from its typically compact urban character, its proliferation of often featureful Victorian and Edwardian properties, and the formal and consistent manner by which rows of buildings are typically comprised and laid out. This significance and special interest is readily experienceable to the opposite side of Britannia Road relative to the site and along both sides of Mentone Road close by, where formally laid out and consistently proportioned rows of similarly designed period properties are in existence. These properties often incorporate small gable features above front-facing bays.
8. A row of locally listed cottages³ (the locally listed row) is also located within the ACCA and adjacent to the site. Whilst heritage significance is drawn, in part, from its modest vernacular architecture and its traditional materials, this row has a highly constrained/enclosed setting being sandwiched between neighbouring rows of houses. As such, limited intervisibility applies between the locally listed row and the nearest publicly accessible locations. This leads to the appeal property making a limited and peripheral contribution to the locally listed row's setting.
9. However, it is especially relevant that the appeal property is situated directly opposite to where Mentone Road meets Britannia Road. Moreover, the property is positioned such that it has the effect of terminating north-westward

³ 24-30 Britannia Road

views along Mentone Road from within the ACCA. Such views, I note, are framed to either side by uniformly arranged rows of characterful properties with consistent roof forms. Further, the property is readily visible, at least in part, from a range of nearby Britannia Road vantage points also located within the ACCA. In the context just described, the appeal property comprises an influential part of the ACCA's setting.

10. The proposal involves a rise in the ridge height of the appeal property and the formation of a prominent street-facing gable incorporating a front-facing window opening. Further, notwithstanding any suggestion or calculation put forward to the contrary, the sizeable dormers proposed to each newly constructed roof slope would, when read in conjunction with the new street-facing gable, add considerable bulk and mass to the property's roof structure. This is notwithstanding the intention to step the dormers back a relatively short distance beyond the front gable end's delineation.
11. Moreover, whatever the external-facing materials utilised and notwithstanding the intention to introduce a small hipped feature above the property's front bay, a strident and discordant roof form would materialise. Indeed, the new roof would, when read as a constituent part of a short row of very similarly designed properties served by uncomplicated hipped roofs of shallow profile, be experienced as a contrived and unexpected addition. This would be especially so in direct and full views of the property that are/would be obtainable from various locations along Mentone Road inside the ACCA.
12. I have been made aware of approved development proposals elsewhere in the local area, which the appellant considers set a precedent for the proposal now before me. These other schemes involved development of sometimes considerable bulk and scale at roof level. However, no such scheme shares an immediate physical or visual relationship with the appeal site, and it is unclear whether comparable heritage constraints applied at any of the other sites identified. Thus, even though the approved developments highlighted at Pottery Road and Mill Hill Close involved ridge height increases and hip to gable enlargements to dwellings situated within rows of similarly designed properties (analogous to the appeal proposal), I cannot find them to be of anything more than limited relevance to my considerations. In any event, each development proposal must be considered upon its own individual merits in accordance with the specific site and case circumstances that avail.
13. For the above reasons, whilst the proposed development at roof level would not have a material adverse effect upon the setting of the locally listed row, it would cause harm to the character and appearance of the wider area and associated harm to the heritage significance of the ACCA as a result of development within its setting. The scheme conflicts with Policy PP27 of the Poole Local Plan (November 2018) in so far as this policy requires development to reflect or enhance local patterns of development and neighbouring buildings in terms of height and scale, bulk and massing, and visual impact.
14. In the terms of the National Planning Policy Framework (July 2021) (the Framework), I would qualify that the degree of harm to the ACCA as a designated heritage asset would be less than substantial. Paragraph 202 of the Framework requires less than substantial harm to be outweighed by public benefits. Whilst the proposal would provide increased/enhanced habitable floor space at both ground and second floor levels to suit family needs and promote

some additional economic activity and job creation during the construction phase, it would ultimately satisfy the private needs and wishes of the appellant and offer minimal public benefits. The heritage harm that I have identified would therefore not be outweighed by the scheme's public benefits. There is thus conflict with the historic environment conservation and enhancement policies contained within the Framework.

Other Matters and Conditions

15. Whilst I have found the proposed works at roof level to be unacceptable, there is no justification for me to withhold granting planning permission for the proposed single storey ground floor extension to the property's side. Moreover, subject to conditions being imposed to specify the approved plan in the interests of certainty and to secure the use of matching external-facing materials in the interests of protecting the visual amenities of the area, this particular element of the scheme would not cause harm to the character or appearance of the area or have any material adverse effect upon the significance of the ACCA by virtue of development within its setting. As the ground floor extension is severable from the remainder of the proposal, I am able to issue a split decision.

Conclusion

16. For the above reasons I conclude that the appeal should be allowed only in so far as it relates to the construction of a single storey ground floor extension, but dismissed in so far as it relates to the removal of the existing roof and the construction of a new roof with associated sloping dormers. Indeed, when assessed in its entirety, the proposal conflicts with the development plan when read as a whole and material considerations do not lead me to a decision otherwise.

Andrew Smith

INSPECTOR