



Appeal Decision

Site visit made on 10 October 2023

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th October 2023

Appeal Ref: APP/V1260/D/23/3327353

2 Glenferness Avenue, Bournemouth, BH4 9NF

- 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 Samir Nigam against the decision of BCP Council.
 - The application Ref. 7-2023-7153-J, dated 9 August 2022, was refused by notice dated 17 May 2023.
 - The development proposed is erection of a part single, part two storey side/rear extension with 1 x front dormer, involving demolition of existing outbuildings.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a part single, part two storey side/rear extension with 1 x front dormer, involving demolition of existing outbuildings at 2 Glenferness Avenue, Bournemouth, BH4 9NF in accordance with the terms of the application, Ref. 7-2023-7153-J, dated 9 August 2022 and the plans submitted with it, and subject to the conditions listed below.
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The materials, finishes and colours to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 349/01; 349/02; 349/04.
 - 4) Any new or replacement hard surfaced area(s) shall either be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous areas or surface within the curtilage of the property.
 - 5) The tree protection measures as detailed in the arboricultural method statement dated 31 January 2023 and prepared by KJF Consultancy Ltd, shall be implemented in full and in accordance with the approved timetable, and maintained and supervised until the completion of the development hereby permitted.

Preliminary Matters

2. The reason for refusal refers to the National Planning Policy Framework 2021 (Framework) but since then the Framework has been revised, in September

2023. However, the relevant design and heritage policies of the Framework, referred to by the Council, remain unchanged in the September 2023 version.

3. The description of development on the Application Form is different to that on the decision notice and I have adopted the latter as it provides a fuller description of the proposed development.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area, with particular regard to the appeal site's location within a designated Conservation Area.

Reasons

5. The appeal site lies within the Meyrick Park & Talbot Woods Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires, therefore, that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Similar advice is to be found in the Framework and also in saved policy 4.4 of the Bournemouth District Wide Local Plan (2002) (BLP) and policies CS39 and CS41 of the Bournemouth Local Plan: Core Strategy (2012) (BCS).
6. The Meyrick Park & Talbot Woods Conservation Area Appraisal (July 2009) (Appraisal) sets out the key elements of the area that contribute towards its special interest and those features that should be preserved, which in turn, establishes, amongst other issues, a clearer understanding of the forms of development that may or may not be allowed in the area. I have, therefore, based my assessment of the special interest of the area on the Appraisal, the evidence submitted by the parties and my own observations on site.
7. The CA's general character is described in the Appraisal as an area with substantial detached properties in spacious plots with well planted gardens. Within that context, the appeal site is located on the corner of the junction of Glenferness Avenue with Branksome Wood Road, both of which are busy roads. This part of the CA is shown on Figure 23 of the Appraisal and referred to as the 'South West'. The appeal property is identified as an 'Interwar' property and a 'Positive Contributor' to the area. Whilst most of the properties on the same section of Glenferness Avenue also date from this period, a number of properties are identified as making a 'Neutral' or 'Negative' contribution. Included in the latter category, is 1 Glenferness Avenue, a large four storey flat roofed block of flats located directly opposite the appeal site.
8. The Appraisal states that an important part of the character of the CA are its wooded areas and abundance of trees, with avenues of trees forming a significant part of its special character. The latter is reflected in the important views identified in the Appraisal (Figure 12), which include the view up Glenferness Avenue from the turning with Branksome Wood Road and the view south from Glenferness Road towards Branksome Wood Road. The Appraisal states that both views are dominated by trees and hedging ('verdant' setting) that conceal some of the properties on this part of the road (paragraphs 4.44 and 4.60).
9. What is also evident from these views (shown on the photographs in the Appraisal), is that the host property is well screened and effectively hidden, with its western boundary to the road containing a large number of mature

trees and shrubs, with the former either preserved due to the CA designation or subject to a Tree Preservation Order. I appreciate that this screening may be thinner during the Winter, but as I observed on my site visit only glimpsed views of the upper part of the host property are possible from public vantage points. Whilst there is a driveway into the appeal site, towards its northern boundary, the extent of the screening is such that again only a glimpsed view is possible of the garage doors to the single storey detached outbuilding (garage) (but only when the wooden gates to the driveway are open).

10. Although the Appraisal continues by assessing the interwar properties that do and do not contribute to the CA (paragraphs 4.193 – 4.220 inclusive), I could not find any reference to the host property. My attention has also not been drawn to any such reference and it is notable from the photographs and descriptions included in the assessment of 'Positive' contributors that most are very visible from public viewpoints and contain architectural or historic features that are considered to be of importance to the CA. Whilst there is also little guidance on new development and extensions within the Appraisal, paragraph 4.287 does state that one of the problems of the area is the continuing pressure for excessive additions and extensions, and that it is generally good practice for extensions to be subservient to the principal building.
11. All of these factors contribute, in my view, to the character and appearance of the CA as a whole.
12. The Council contend that the location, scale, form and design of the proposed extension would represent an incongruous addition that would not be in keeping with or sympathetic to the host or the CA. I do not agree. As I mentioned earlier and observed on site, views of the garage building are limited to only glimpsed views in passing. As the appeal proposal would incorporate the footprint of the garage and retain the garage doors, those views would largely remain unchanged.
13. The remaining elements of the proposal would include a new ground floor utility area linking the garage with the main house and a new first floor above with a pitched roof, 'Dutch Hip' and flat roofed dormer, to enable new habitable accommodation to be provided at first floor level. I am satisfied that the design of all of these elements would be in keeping with that of the host, with materials, windows (casements and glazing) and other detailing to match existing, and with a new dormer that sits comfortably within the slope of the new roof. The proposal would represent a modest extension to the host that would be both subservient and proportional, with a significantly lower ridge and eaves height.
14. Moreover, the garage is set well back from the front of the host property and as the new extension would incorporate the garage, it would similarly be in a stepped back position. As such, the host property would continue to remain the principal building on the appeal site. Although some architectural/historical detailing might be lost, that loss would be small and the majority of the features that contribute towards its special interest would remain. In view of this, the proposal would not have any impact on the positive contribution that the host property makes to the CA. That would remain the case even if the host property was more visible within the streetscene.
15. The proposal would also remove the existing unsightly outbuildings and would not impact on any preserved trees, which as I confirmed earlier dominate the

character and appearance of the appeal site and its relationship to the CA and Glenferness Avenue. The Council have indicated that the garage “*appears*” to be an original building, but as far as I can see from the Appraisal only the host property is identified as a ‘Positive Contributor’. Even so, the garage would be incorporated into the new extension with the doors retained and I am satisfied that in doing and with the high quality design, the proposal would represent a sympathetic extension that does not detract from the host’s value to the CA.

16. The appellant has referred to a large number of properties within Glenferness Avenue that have either been altered or extended or have been the subject of modern infill or redevelopment. I have not been provided with any planning background to these examples and it is difficult, therefore, to make any direct comparisons with the appeal proposal. Whilst I visited some of these examples I have, as is required, determined the appeal proposal on its individual merits having regard to the specific circumstances of the case and its local context.
17. I find, therefore, that the proposed extensions would be acceptable and would not result in any harm to the significance of the designated heritage asset and neither would they effect the significance of any non-designated heritage asset. In view of this finding, there is no need to assess the appeal proposal against the requirements of paragraphs 200 – 203 (inclusive) of the Framework.
18. Accordingly, for the above reasons, I am satisfied that the appeal proposal would preserve the character and appearance of the CA as a whole in that it would leave it unharmed, and would also represent a sympathetic, appropriate and high quality addition to the host property. The appeal proposal would thus comply with saved policy 4.4 of the BLP, policies CS39 and CS41 of the BCS and the corresponding policies of the Framework.

Conditions

19. The Council has suggested various conditions which I have considered against the advice in the Framework and the Planning Practice Guidance chapter on the use of planning conditions. Conditions requiring compliance with the submitted plans and for materials to match existing, are necessary and reasonable in order to secure a high-quality development. I have, however, added a list of approved plans for clarity. I have also adopted the standard wording for the materials condition as the Application Form states that the proposed materials and finishes are to match existing.
20. I also consider that conditions to ensure adequate drainage is provided for any new hard surfaces and for the development to be carried out in full accordance with the submitted arboricultural method statement, are also necessary and reasonable to ensure satisfactory drainage for the development and to preserve and protect existing trees and mature vegetation during construction works.

Conclusions

21. For the reasons given above and having taken all other matters raised into account I conclude that the appeal should be allowed.

G Roberts

INSPECTOR