



Appeal Decision

Site visit made on 2 November 2023

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th November 2023

Appeal Ref: APP/V1260/D/23/3329752

54 Elizabeth Avenue, Christchurch BH23 2DW

- 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 Aaron Matthew Conway, against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 8/23/0154/HOU, dated 23 March 2023, was refused by notice dated 3 July 2023.
 - The development proposed is described on the application form as "Build a timber frame carport on driveway".
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Preliminary matters

1. The carport the subject of this appeal has already been erected. I also appreciate that the Appellant thought that planning permission was not required. However, despite such matters I must consider this appeal strictly on its own planning merits. The acceptability of any changes to the carport, such as altering the roof, should be discussed with the Council and I must decide this appeal on the basis of the plans provided in the planning application.

Decision

2. The appeal is dismissed.

Main issue

3. The main issue in this appeal is the effect on the streetscene and the character and appearance of the locality.

Reasons

4. The appeal concerns a two storey detached dwelling that fronts onto the street in Elizabeth Avenue. Properties in the vicinity tend to be set back from the road a fairly consistent distance and there are relatively well defined building lines. Dwellings often have hard surfaces for car parking to the front and any means of enclosure or boundary treatments are generally fairly low. The front gardens are also characterised by an absence of buildings so that the carport at the appeal site is a particularly unusual feature.
5. The carport is open on two sides and there are Perspex sheets, which give a degree of transparency and openness. However, it is a fairly substantial structure extending from a position towards the front of the dwelling to particularly close to the footway. Although fairly open beneath, it has a pitched roof covered with corrugated steel sheets. The resulting solidity of this part in particular, together with its height and position, gives the carport an undue degree of prominence. In these circumstances the carport is a visually

intrusive and overly dominant presence in the street projecting unacceptably forward of the established building line.

6. The Appellant refers to examples of development in the area but only one case is specifically identified, a triple carport at 37 Riverway which it is said does not have planning permission. Nevertheless, this is in a different street so that it is not part of the immediate context of the appeal site and has no direct bearing on the specific visual impact arising in this instance. Moreover, I do not have the full background and details of this or any other case and am, therefore, unable to make any meaningful comparison with the development the subject of this appeal anyway. I acknowledge that there are on-street parking pressures in Elizabeth Avenue. However, as at many other properties nearby, a carport is not necessary to be able to park off the road.
7. The Appellant refers to instances such as large caravans and camper vans being parked at properties and overhanging the pavement. It is also suggested that a low loader box trailer on the drive at the appeal site could be used to protect the Appellant's camper van from the weather. However, these are not the same as a built structure, which has a noticeably more permanent appearance. Despite the Appellant suggesting that there are cases where these are not moved, a built structure such as a carport is likely to be a longer lasting feature of the locality and this matter would not be a sound reason for allowing the appeal.
8. It is concluded that the development has harmed the streetscene and the character and appearance of the locality. Borough of Christchurch Local Plan 2001, Policy H12 and Christchurch and East Dorset Local Plan Core Strategy 2014, Policy HE2, taken together and, among other things, intend that development should be of a high quality, compatible with its surroundings in its visual impact and appropriate in character to the immediate locality. The failure to meet these aims means that there is conflict with these policies.
9. In the National Planning Policy Framework it is indicated that decisions should ensure that developments satisfy a number of considerations. These include that the proposed development should add to the overall quality of the area, as well as being visually attractive and sympathetic to local character, which have not been achieved in this case.
10. The Highway Authority has raised no objection on the grounds of highway safety. However, the proposal was not rejected on highway safety grounds by the Council. I acknowledge that the host property is well maintained and there are no objections from local residents. Nevertheless, these matters do not, in themselves, confer acceptability on the development.
11. It is concluded that there are no other considerations, including all other matters raised, that would justify accepting the carport. Given the harm that has resulted, it is determined that the appeal fails. In reaching this decision I have carefully considered the photographs submitted by the Appellant.

M Evans

INSPECTOR