



Appeal Decision

Site visit made on 20 February 2024

by K Jones BA (Hons) DipLA CMLI

an Inspector appointed by the Secretary of State

Decision date: 14TH March 2024

Appeal Ref: APP/V1260/W/23/3325654

7 Bute Drive, Christchurch BH23 5LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mr and Mrs Jacobson against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 8/22/1020/HOU was approved on 22 June 2023 and planning permission was granted subject to conditions.
 - The development permitted is Raise and extend roof to create 2nd floor accommodation. Two storey side extension and rear extension and alterations to roof. Demolish garage.
 - The condition in dispute is No 3 which states that: Notwithstanding the submitted plans, no approval is hereby given to the use of render and timber cladding and black slate for the roof and walls of the approved development. The materials and finishes to be employed on the external faces of the development, hereby permitted, shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.
 - The reasons given for the condition is: The proposed materials do not match the prevailing materials in the street and in order to ensure satisfactory visual relationship of the new development to the existing.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was also made by Mr and Mrs Jacobson against Bournemouth Christchurch and Poole Council. This application is the subject of a separate decision.

Preliminary Matters

3. A subsequent application has been approved granting a non-material amendment for altered materials during the course of this appeal. I do not have full details of this application, but this does not form part of my considerations because this appeal specifically relates to condition 3 of the original planning application.
4. Since the appeal was lodged a revised National Planning Policy Framework (the Framework) has been published. The amendments do not materially affect the parts of the Framework relevant to this appeal and so it is unnecessary to seek the parties' comments on the revisions.

Background and Main Issue

5. Planning permission for the various extensions and alterations included condition 3, which requires that, notwithstanding the approved plans, unless otherwise agreed in writing, external materials and finishes of the proposal shall match those of the existing building. The condition expressly does not grant approval for materials as detailed on the application form and plans, in this case render and timber cladding to the walls, and black slate tile to the roof.
6. The Council considers this condition to be necessary in the interest of securing a satisfactory visual relationship between the proposal and the existing street scene. I therefore consider the main issue to be whether the condition is reasonable and necessary in the interests of the character and appearance of the dwelling and the surrounding area.

Reasons

7. The appeal relates to a detached dwelling within a residential cul-de-sac. No 7 Bute Drive is the end property in a short row of three similar houses, faced with brick under a brown tiled roof. Elsewhere on the cul-de-sac the context is somewhat varied. Properties comprise a mixture of detached bungalows, chalet bungalows, and two-storey houses. Within this variation in form, dwellings are predominantly faced with brick, with red or brown roof tiles. There are limited exceptions including a small number of fully rendered properties, and some dwellings with part-elevations of render or cladding. I also note that the properties south-west of the appeal site have grey slate (or slate-effect) tiles.
8. I therefore accept that cladding, render, and grey roof tiles are not entirely alien on Bute Drive. However, despite these exceptions, the street scene of the cul-de-sac is cohesive, drawn significantly from the predominance of brick and tile. There is also consistency in the traditional and modest proportions of dwellings, and the small number of properties utilising different materials do not gain undue prominence as a result.
9. The approved renovations to the dwelling would substantially alter its character, increasing its scale, massing, and resulting prominence in the street scene. On the enlarged building, the proposed materials sought by the appellants would emphasise these differences in scale and massing. The proposed materials would result in a prominent, stark and incongruous dwelling, at odds with the prevailing character of its surrounds. During my site visit I was able to observe the use of grey tiles being installed on the enlarged roof, and this confirmed my finding that on a building with increased massing, non-typical materials introduce undue prominence in the street scene.
10. I note the presence of a large timber clad building on Mill Lane, highlighted by the appellants. Although visible from within Bute Drive, this building is a considerable distance away, clearly separate from and behind the street frontage. It therefore makes a limited contribution to the character of the road, which reduces with distance towards the appeal site, such that it has a minor influence on how the appeal site is viewed. Therefore, its existence does not justify the use of materials as proposed.

11. My attention has also been drawn to many examples of developments in the local area which utilise various combinations of render, slate, and timber cladding. I visited a number of these during my site visit and observed that in the wider area there are some large properties displaying contemporary architecture and materials similar to that proposed. However, many are a significant distance away from the appeal site and not within its visual context, and none of the examples appear to be within a similar well-defined cul-de-sac context. For example, Montagu Road, Wharncliffe Road, and Elphinstone Road are defined by a series of large, detached properties in substantial plots, each with an individual character and materials palette. On Stuart Road, there is considerable variation in building age, style, and materials. Accordingly, these examples do not convince me that the intrusion from the appeal proposal is justified.
12. It has been put to me that as a modern renovation, render and cladding are typical materials. While I accept that they might be commonplace on renovations elsewhere in certain parts of Highcliffe, in the context of Bute Drive they are not. I note in particular that the relatively recent development of four larger dwellings to the immediate south-west of the site have maintained the prevailing character of brick, and do not gain undue prominence as a result.
13. The appellants have referred to the Highcliffe and Walkford Neighbourhood Plan (2023) (the Neighbourhood Plan), and highlight the given examples of recent good design within Highcliffe which include a similar palette of materials to that proposed. However, these small images provide limited context for those developments, and the images and accompanying text do not indicate that such materials would be appropriate in all situations. Nor does the description for the 'Wharncliffe Road and the Coastal strip' area provide any specific materials guidance beyond noting the environmental effects of weathering on materials. Indeed, Policy HWNP11 on 'Retaining and Reinforcing Local Character' establishes that within obvious groupings of buildings, any changes to existing properties should reflect or complement the characteristic style and materials used in that group.
14. I acknowledge that the area is not designated as part of a conservation area, or otherwise recognised as being of special character. Nonetheless, when introduced on the enlarged dwelling, the use of the materials as sought to the external surfaces of the appeal scheme would be incongruous and imposing, resulting in harm to the character and appearance of the dwelling and the surrounding area.
15. Condition 3 on the planning consent would limit the effects of the development, and is necessary in accordance with Policy HE2 of the Christchurch and East Dorset Local Plan: Part 1 – Core Strategy, and Policy HWNP11 of the Neighbourhood Plan. Amongst other things, these policies seek development that is compatible with or improves its surrounding in relation to materials, and which reflect or complement the characteristic style and materials used in groups of buildings.
16. It follows from the above that I conclude that the condition is reasonable and necessary in the interests of the character and appearance of the building and the surrounding area.

Other Matters

17. I acknowledge the difficult position that the appellants are in, and recognise the cost of altering materials that have already been installed, contrary to the extant permission. However, the affordability or not of the materials would be a private, as opposed to a public benefit. This matter does not weigh in favour of the proposal.
18. It has not been demonstrated the materials sought would be necessary to prevent harmful effects to the neighbouring property to the east in respect of light or being imposing. I also note the general support for the renovation from several neighbouring occupiers. However, this is not a reason in itself to allow harmful development in conflict with the development plan.
19. The appellants have raised a number of concerns regarding the handling of the application by the Council, and the levels of communication during its determination. Some of these matters are subject to a separate costs application decision. However, such concerns are not determinative to the outcome of this appeal.

Conclusion

20. For the reasons given above, the appeal is dismissed.

K Jones

INSPECTOR