



Appeal Decision

Site visit made on 7 March 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 April 2024.

Appeal Ref: APP/V1260/D/23/3335864

19 Knole Gardens, Bournemouth, BH1 3QY

- 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 KLCH Ltd against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2023-14743-F, dated 28 March 2023, was refused by notice dated 1 November 2023.
 - The development proposed is demolition of existing garages and alterations and additions to existing dwelling to form accommodation in the roof space.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garages and alterations and additions to existing dwelling to form accommodation in the roof space at 10 Knole Gardens, Bournemouth, BH1 3QY in accordance with the terms of the application Ref 7-2023-14743-F, dated 28 March 2023. subject to the conditions set out in the attached Schedule.

Main issue

2. The main issue is the effect of the development on the character and appearance of the host property and its surroundings.

Reasons

Character and appearance

3. The appeal property is a detached bungalow with 2 garages in its curtilage, standing at the junction of Knole Gardens with Knyveton Road. There are similar bungalows on either side and in close proximity along the tree-lined Knole Gardens.
4. The officer report is somewhat contradictory in the sense that its paragraph 7 suggests that the site lies within a Conservation Area, whilst paragraphs 12 & 13 suggests otherwise. The plan provided to me by the Council shows that the site lies on the fringe but just outside the East Cliff Conservation Area (CA). It is understandable in my view that the boundary has been so drawn since the character of development on the other side of Knyveton Road, within the CA, is markedly different from that in the immediate vicinity of the appeal property.
5. The alterations and extensions proposed would transform the appearance of the property and, in summary, the Council considers that by a combination of an increase in scale, design and use of materials the development would be perceived as a dwelling of a contemporary appearance on a prominent plot out

of character with the street scene and harmful to the CA's setting. The Council also considers aspects of the architectural detailing to be poor which adds to its concern that this is an ill-conceived proposal.

6. I share the Council's view on the site's prominence to the extent that it is in clear view when approaching from the west. From the east, however, the proposed development would be largely shielded by extant development. Nonetheless, given its closeness to a CA, any development on this site should not harmfully affect its setting.
7. I do not share the Council's design concerns. The proposal would effectively replace a development of a rather mundane appearance, including the garages. Whilst there would be an increase in scale and massing, it would not be excessive. The nearby Redwood trees overwhelm the immediate area, so the increased size of the dwelling would not prove particularly noticeable. The Council is right to say that the dwelling would take on a contemporary, modern appearance, but that does not represent a justifiable reason, in itself, to turn the scheme away. Decisions on matters such as this turn on personal judgements but, in my view, the scheme would add visual interest represent an improvement on what is currently in place.
8. I therefore conclude that the proposed development would not harm the character and appearance of the host property or surrounding area, and would not adversely affect the setting of the adjacent CA. Accordingly, I find no conflict with those provisions of Policies CS39 & CS41 of the Bournemouth Local Plan: Core Strategy directed to the protecting the setting of heritage assets and requiring the design of new development to respect the site and its surroundings.

Conditions

9. The Council has suggested some conditions. In the interests of certainty, a condition will be imposed identifying the approved plans. The Council's suggested condition regarding materials is not pertinent since it is intended to use different materials to those used in the existing dwelling. However, a condition regarding materials is imposed in the interests of visual amenity given that the information provided in the original submission is limited.
10. Given the presence of a nearby trees subject to a preservation order, a condition regarding their protection during the construction process is imposed.

Other matters

11. All other matters referred to in the representations have been considered, including the Council's references to national policy and its Residential Development: A Design Guide for Householders (2008).
12. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1). The development hereby permitted shall begin not later than three years from the date of this decision.
- 2). The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 1787P/101; 1787P/102; 1787P/103; 1787P/104; 1787P/105b; 1787P/106b; 1787P/107a; 1787P/108a; 1787P/109a; 1787P/100e & 1787P/110.
- 3). Prior to their use on the site, a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, including doors and windows, shall be submitted to the local planning authority for its written approval. Thereafter, the development shall be completed in accordance with the approved materials.
- 4). The tree protection measures shown on The Tree Protection Plan produced by Scott Tree Services Ltd, dated 24 February 2023, shall be strictly adhered to at the commencement of and throughout the construction period.