



Appeal Decision

Site visit made on 13 June 2024

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 July 2024

Appeal Ref: APP/V1260/W/24/3337351

49 Cliff Drive, Poole, Dorset, BH13 7JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Dorian Lawrence against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is APP/23/00466/F.
 - The development proposed is replacement dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the heritage significance of the existing building.

Reasons

3. The appeal site is a large corner plot of land at the junction of Flaghead Road and Cliff Drive. Due to the location of the building, I consider that there are two principal elevations to the street; one to the north-east (facing Cliff Drive) containing the entrance to the building and another to the south-east (facing Flaghead Road).
4. The wider area is residential in nature and is predominantly characterised by detached, largely two-storey, dwellings and some blocks of flats set back from the road in a linear pattern. The specific designs of buildings in the area are varied.
5. At present the site is occupied by a detached, two storey residential dwelling with further accommodation within the attic. The elevations are pebble dashed and painted white. Four tall and imposing chimney stacks are situated at the corners of the dwelling. The windows are wooden casements with square leaded lights and the dwelling also has bay windows, including a large feature window above the entrance.
6. The existing dwelling has been included in a list of local heritage assets. The dwelling's significance as a non-designated heritage asset is derived from the quality of its design, its architectural interest and period detailing.

7. The proposal is for the demolition of the existing dwelling and the construction of a replacement dwelling. Prior Approval for the demolition of the existing two storey detached building to facilitate the redevelopment of the site was granted by the Council on 5 January 2024.
8. At the time of my site visit some site clearance works had taken place, the building remained empty and in situ and the site was enclosed by a large fence.

Character and appearance

9. The proposed building has been designed with the aim of emulating the original house with some changes to ensure the dwelling would better suit the needs of the appellant. I acknowledge the appellant's aims to incorporate a number of the features which are considered to be of merit in the design of the existing property into the design of the new property.
10. Though many design details would be the same as, or very similar to, the existing property the proposed dwelling would have a substantially larger roof design than the existing building. The design of the large flat-roofed section would be such that the roof would appear disproportionately bulky and oversized in the context of the dwelling.
11. The proposed dwelling would also include four dormer windows, one on each elevation. Individually each dormer would be set down, set in and would be reasonably proportioned so as not to dominate the roofslope of which it is part. However, cumulatively the four dormers would contribute to an overall roofscape which would appear unwieldy and cluttered.
12. The proposed dwelling would include tall chimney stacks to imitate those found on the existing dwelling. However, due to the increased roof height and scale of the proposed dwelling the stacks would not have the same impact as they do on the existing dwelling. Rather, the chimney stacks would contribute to the sense of visual clutter I have set out above.
13. The proposal also includes a large single storey projection at the Flaghead Road elevation of the dwelling which would run along the boundary with Number 23. This projection would host a garage, gym, shower room, boot room and part of the kitchen/dining room. A car port and store area would be included at the front end of the projection.
14. The proposed single storey projection would extend significantly beyond the building line of one of the principal elevations of the main dwelling and would be much deeper than the main building structure. I accept that the appeal site is somewhat unusual due to its corner location with two principal elevations and note that the Flaghead Road elevation is set considerably further back from the boundary with the road than other properties. The projection would, nevertheless, substantially breach the main building line of this elevation and fail to respect the pattern of development in this part of the area.
15. The proposed single storey element of the scheme is said to provide a footprint of around 120sqm, or 165sqm when the car port is included. The main dwelling would have a footprint of around 144sqm. The proposed single storey element would have a footprint almost as large as, or larger if the car port is included, than what is to be considered the main building. As such, this element of the

scheme would fail to assimilate well with the main building and would appear disproportionately large.

16. The proposed projection would present fairly blank elevations to the rear and sides and the front would contain minimal amounts of glazing in the context of the size of the structure as a whole. Thus, the projection would appear as a sizeable, bulky featureless block with few visual breaks or articulation. The overall scale and proportions of the proposed projection are such that it would appear as an excessively sized and unsympathetic addition to the main building. Despite its flat roof and single storey nature the projection would not appear subservient to the main house.
17. Furthermore, this element of the proposal would be constructed using black cladding and glazing with a view to differentiating between the old and the new. I accept that this technique can be positive where extensions are added to existing buildings. In this case, the existing building (i.e the "old") is to be demolished and the entire structure will effectively be new despite appearances. In my view, therefore, this juxtaposition of apparently "old" and "new" is not warranted and would lack authenticity, appear unnecessarily contrived and further compound the incongruous nature of the proposed projection.
18. I acknowledge that the projection would be set slightly back from the boundary with Flaghead Road and would be partially screened from view and note the other examples cited by the appellant where structures such as garages are positioned in front of a principal elevation of a building. However, each case must be treated on its own merits and circumstances on site are unlikely to be identical. In any event, I consider that some of the examples cited serve to illustrate the visually harmful nature of such schemes.
19. I also accept that architectural styles within the area are diverse and note that other modern buildings and other pastiche developments have been permitted. However, in respect of the proposal before me, it is not simply a case of a singular cohesively designed building. Rather, the appeal proposal would be a building whereby "old" and "new" designs appear juxtaposed with one another in a visually discordant and contrived way.
20. The proposed dwelling, including the single storey element, is said by the appellant to cover around 29% of the plot. Other nearby buildings are said to occupy between 25% and 34% of the plots in which they are situated. The proposed dwelling would therefore be similar in respect of site coverage. In my view, in principle, the plot is indeed capable of accommodating a building with a larger footprint than the existing dwelling without compromising the appeal site in terms of its open and spacious character and appearance. However, though the size of the footprint insofar as the coverage of the site is concerned would be broadly similar to others in the area, the design and layout of the proposed dwelling, particularly the disparate size of the single storey element, would result in a building which would appear incongruous in the street scene.
21. Consequently, the proposal would have a detrimental effect on the character and appearance of the area and would, therefore, conflict with Policy PP27 of the Poole Local Plan, November 2018 (LP) which requires all new developments to have a good standard of design.

22. The development would also fail to meet the expectations of The National Planning Policy Framework (The Framework) which promotes high standards of design and states that developments should be visually attractive and sympathetic to the character of the area.

Heritage significance of the existing building

23. In addition to the harm I have identified in respect of the specific design of the proposed replacement dwelling, the proposal would require the demolition of the existing non-designated heritage asset on the site.
24. Paragraph 209 of The Framework requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account. In weighing schemes that directly or indirectly affect non-designated heritage assets, the Framework requires a balanced judgement having regard to the scale of any harm or loss and the significance of the asset.
25. The proposed development would result in total loss of the significance of the locally listed building. This would equate to substantial harm to this asset.
26. I note that the decision was taken to move to a new build scheme rather than a renovation due to the need to ensure that the building would be equipped for modern living and reach modern levels of energy efficiency. I appreciate that the financial investment required for such a renovation was considered impractical and unattainable in the current market. I also acknowledge that the appellant has tried to design the replacement dwelling sensitively so as to replicate the most significant original features. However, these reasons are not sufficient in my view to justify or outweigh the harm I have identified to the non-designated heritage asset.
27. The proposal would therefore fail to comply with LP Policy PP30 which states that the Council expects development to preserve or enhance heritage assets and that developments which affect locally listed buildings should enhance or better reveal the significance and value of the site within the street scene and wider setting.

Other Matters and Planning Balance

28. The proposal would replace one unit of housing with another. I note the appellant's view that the reconfigured replacement dwelling enhances the layout and room configuration to best serve the appellant's family for the future and enhances the degree of privacy which would be afforded to residents. However, the evidence before me does not suggest that these alterations are essential and wholly required in order to facilitate any occupation of the dwelling and as such this would be a private benefit specific to the appellant.
29. I also recognise that the proposed dwelling would be highly energy efficient. Though, given the small scale of the scheme before me, this benefit attracts limited weight in my consideration of the appeal.
30. I accept that prior approval has been given so that the demolition of the building can proceed as permitted development. Nevertheless, I can see no clear reason as to why demolition would proceed should an alternative planning permission not be granted. In any event, even if I were to consider the future demolition of the non-designated heritage asset a certainty, the scheme before

me would, in and of itself, cause harm to the character and appearance of the area for the reasons I have set out above. As such, I afford the fallback position minimal weight in my assessment of this appeal.

31. I also note the appellant's evidence that the proposal would not have adverse impacts in other respects and would conform with other aspects of the development plan. The lack of harm in these respects is a neutral factor and not a benefit of the scheme and as such this element does not carry additional weight in favour of allowing the proposal.
32. The Council states that at the time of determining the application, in the Poole area there is a 4.1 year housing land supply with a 20% buffer (a shortfall of 423 homes) and a 2021 HDT result of 78%. The appellant has not disputed this. As such, the National Planning Policy Framework advises that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
33. I have found that the proposal would cause harm to the character and appearance of the area and would result in the total loss of a non-designated heritage asset. None of the above considerations are sufficient to outweigh the harm I have identified. As such, in my view, the adverse effects of the proposal would significantly and demonstrably outweigh the benefits.

Conclusion

34. For the reasons set out above, the proposal is contrary to the development plan. There are no material considerations that indicate otherwise and suggest that permission should be granted. Therefore, taking all other matters raised into account, the appeal is dismissed.

L J O'Brien

INSPECTOR