
Appeal Decision

Site visit made on 8 July 2024

by H Faulkner BSc (Hons) MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 August 2024

Appeal Ref: APP/V1260/W/24/3339685

Flat 5, 11 Alyth Road, Bournemouth, BH3 7DF

- 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 M De Kment against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 7-2023-6548-T.
 - The development proposed is for alterations and first floor rear extension to extend and convert an existing bedsit flat into a 2-bedroom apartment.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A previous scheme for a first floor rear extension to extend the existing bedsit was dismissed on appeal in 2022¹. Whilst I have referred to it in so far as it is relevant to my decision, I have assessed the proposal based on the circumstances of the site and the details of the scheme before me.

Main Issues

3. The main issues are:
 - a) Whether the proposal would preserve or enhance the character or appearance of the Meyrick Park and Talbot Woods Conservation Area having particular regard to the effect on the host property and the streetscene; and
 - b) The effect of the proposed development on the occupiers of The Coach House, with particular reference to privacy, outlook and sunlight.

Reasons

Conservation area

4. The appeal site is within the Meyrick Park and Talbot Woods Conservation Area (CA) and therefore the statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special

¹ APP/V1260/W/213289549

attention to be paid to the desirability of preserving or enhancing the character or appearance of the CA.

5. The appeal site is located on Alyth Road a wide tree lined street with large detached houses set back from the road. Properties differ in style and design but generally follow broad architectural themes. The majority of the buildings appear as single dwellings with regular shaped footprints. Two storey rear extensions are not common features. The architectural quality of the houses on the street and the spacious nature creates an attractive street scene.
6. The house, along with others on the street, is identified within the Conservation Area Appraisal as a positive contributor to the character and appearance of the area. The property has been split into flats, but still retains the character of an individual dwelling, along with the other houses on the street.
7. The proposed extension would dominate the rear of the property. Although it would be set in from the sides, making it smaller than the most recent dismissed appeal, the design appears contrived.
8. The roof of the extension would look squat and at odds with the style of the property. It would appear as an uncomfortable and unconvincing addition having a harmful impact on the character of the building. Whilst the materials may be similar and there is some limited degree of subservience, it would still appear as a bulky addition due to its massing and unsympathetic design. Any alternative materials would not alter this effect. As well as being visible from the rear gardens of The Coach House and Nos 9, 9A and 13, the flank elevations would also be visible from Alyth Road and the surrounding CA. The proposal would therefore cause harm to the character and appearance of the CA.
9. The Residential Extensions Design Guide for Householders sets out key principles, the first of which is that all proposals should maintain the character of the existing house and its setting. The proposals fail to do this. The second principle is subservience, although smaller than previously proposed, the extension would still dominate the rear of the property. The appellants suggest that the extension complies with the guide which promotes extensions that would appear as additions rather than duplications or an enlargements. However, the design is unsympathetic to the property and therefore has a harmful effect in any event.
10. The proposal would harm the character and appearance of the existing building and its significance as a positive contributor to the CA and would therefore fail to preserve the character and appearance of this part of the CA. In terms of the National Planning Policy Framework (the Framework), the harm identified would be less than substantial. Paragraph 208 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
11. The proposal would increase the habitable accommodation of the flat and would add to the number of two-bedroom properties in the area. It would also result to some extent in the more efficient use of land would be energy efficient and future occupiers would potentially increase spending in the

area. However, given the scale of the proposal, these benefits should only be given modest weight.

12. The identified harm is given considerable importance and weight and the Framework establishes that when considering the impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In this context I find that the limited public benefits of the proposal are not sufficient to outweigh the degree of harm identified.
13. It is therefore concluded that the proposed extension would fail to preserve or enhance the character or appearance of the CA. It would therefore conflict with CS39 and CS41 of the Bournemouth Local Plan: Core Strategy (BLPCS) and Policy 4.4 of the Bournemouth District Wide Local Plan (BDWLP) insofar as these seek to protect heritage assets and promote high quality design in conservation areas, taking account of matters such as scale height, form and massing.

Living conditions

14. The garden of the building is solely for the use of the ground floor flat known as The Coach House. The garden is a generous size with a large patio area and has a high level of privacy.
15. Although there are existing windows in No 5, views of the garden are limited due to the expanse of the large flat roof projecting below them.
16. The proposed extension would bring first floor windows much closer to the garden of The Coach House. This would result in both a loss of privacy for the occupiers within parts of the garden and also an increased sense of being overlooked both of which would be harmful to the living conditions of the occupiers of The Coach House.
17. Whilst there are other windows within No 5 and surrounding properties which have view of the garden of The Coach House these are more restricted than the broader and more direct views that would be available from the proposed extension.
18. Although it would be set in from the rear of the single storey extension the proposed extension would still loom above the garden of The Coach House having an overbearing impact. Due to the combination of the orientation and height of the building with the extension there would be a reduction in sunlight to the garden. Both of which would reduce the enjoyment of the garden for the occupiers of The Coach House.
19. The appellant argues that the proposed extension cannot be considered to be overbearing as before flat 1 was extended (now The Coach House) the entire building shaded the garden area associated with the flat. The proposals have been assessed on the facts of the matter as they currently stand and not judged against previous contexts.
20. To conclude the extension would be harmful to the occupiers of The Coach House particularly with regard to loss of privacy and the overbearing impact on the garden. This conflicts with Policy CS41 of the BLPCS which requires new development to enhance the amenities of neighbouring residents.

Other Matters

21. The identified need for two-bedroom properties has been raised and the BCO and Dorset Local Housing Needs Assessment has been submitted. The provision of one extra bedroom would not make a meaningful difference to meeting additional need and therefore is afforded only very limited weight.
22. Reference has been made to an extension at No 5 Alyth Road, however no details were provided and this proposal has been assessed on its own merits.
23. A number of other matters have been raised by interested parties. These have either been considered above or are not determinative in this instance.

Conclusion

24. It is concluded that the proposal would fail to satisfy the requirements of the Act, the Framework, and it would not be in accordance with the development plan, when read as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, and having considered all matters raised, the appeal is dismissed.

H Faulkner

INSPECTOR