



Appeal Decision

Site visit made on 24 July 2024

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th August 2024

Appeal Ref: APP/V1260/D/24/3344700

108 Panorama Road, Poole, BH13 7RG

- 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 Stephen Cross against the decision of BCP Council.
 - The application Ref is APP/24/00263/F.
 - The development proposed is first floor extension to existing garage.
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Decision

1. The appeal is allowed and planning permission granted for first floor extension to existing garage at 108 Panorama Road, Poole, BH13 7RG in accordance with the terms of the application, Ref APP/24/00263/F, dated 4 March 2024 and subject to the conditions listed below.
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2046-00-000 (Location Plan); 2046-02-001 (Site And Block Plans); 2046-02-002 (Garage Proposal).
 - 3) The external surfaces of the development hereby permitted shall be constructed in materials to match existing or otherwise as listed in the application form.
 - 4) The development hereby permitted shall be carried out in accordance with approved Arboricultural Impact Assessment prepared by Richard Nicholson dated the 18 March 2024 and Tree Protection Plan RNapc/580/TPP/1.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, and the setting of the Sandbanks Conservation Area.

Reasons

3. The Council's reason for refusal can essentially be split into two parts. Firstly in relation to the effect of the development on the character and appearance of the area. Secondly, the alleged effect of the development on the setting of the Sandbanks Conservation Area.

4. Turning to the effect on the character and appearance of Panorama Road, the Council have referred to policy PP27 (Design) of the Poole Local Plan (November 2018) (PLP) and policy SAND5 (Design) of the draft Sandbanks Peninsula Neighbourhood Plan (2023) (SPNP). Whilst the latter is in draft and must be accorded less weight, policy SAND5 is broadly consistent with policy PP27. Combined, these policies require new development, amongst other matters, to: secure a good standard of design; reflect or enhance the local pattern of development in terms of layout, siting, scale, bulk, materials, landscaping and visual impact; for extensions, that they are designed to respect and relate to the original building, and maintain and enhance any details that contribute positively to local character; conform to established building lines; and, respect established plot sizes and frontages.
5. The policies of the PLP predate those in the National Planning Policy Framework (December 2023) (Framework). Whilst paragraph 135 of the latter also refers to development being sympathetic to local character, it states that this should not prevent or discourage appropriate innovation or change. This approach is reinforced in the National Design Guide (NDG) (January 2021), for example, in paragraph 44 which states that well designed places do not need to copy their surroundings and that it is appropriate for new development to include innovation and change to reflect how we live today.
6. The appeal proposal involves the construction of a first floor extension to the existing single storey detached flat roofed garage. The proposed extension would also have a flat roof and its walls would be finished in render and cladding. On three sides, the new extension would be set back marginally from the edges to the ground floor garage. The Council contend that the new extension, due to its height, mass, contemporary design and siting close to the road, would appear as an uncharacteristic and intrusive feature within the streetscene of Panorama Road. For the reasons set out below, I do not agree.
7. The position of the existing garage relative to the road would not change as a result of the proposal. Similarly, the footprint of the existing garage would remain as existing, with the set back of the proposed extension on three sides resulting in a smaller first floor footprint to that on the ground floor. Moreover, the appellant indicates that the proposed extension would extend to some 2.5 metres in height, which compares to the existing height of the garage of some 3 metres. As such, the proposed increase in the height, mass and bulk resulting from the new extension would, in my view, be modest.
8. Whilst I accept that the new extension would result in a material change to the frontage of the host property, I am satisfied that the modest increase in height, mass and bulk would not be significant or harmful to its wider setting. The proposed extension has been designed to integrate with that of the existing garage. The garage, as extended, would continue to be set back a good distance from the road. It would also have a flat roof that assists in minimising the scale of the new extension and thus its visual impact. Moreover, the proposed extension would be viewed in the context of the high stone boundary wall and gates to the appeal site, which screen a large part of the existing garage and against the backdrop of the three storey contemporary designed main host property. Existing mature trees and boundary landscaping would also be retained and would continue to frame views of the garage, as extended and the main host property to its rear.

9. As a consequence, the proposed extension would be both subservient and proportional. A pallet of materials to match existing and cladding, would further ensure that the new extension appears as a sympathetic addition that integrates well with the existing design of the garage and main host. As I also observed on site, due to the bend in the road and the presence of existing mature trees and landscaping, the proposal would effectively be screened from views when approaching the site from the south east. I accept that the proposal would be more visible when approaching from the north east, on this road, but those views would again be of a modest extension set back behind the high stone wall and gates, framed by mature trees and landscaping. For all the above reasons, the proposal would not appear visually prominent within the streetscene or an intrusive feature, and on the contrary the proposal would sit comfortably on the appeal site.
10. In relation to the Council's point about the proposed extension being of an uncharacteristic contemporary design, I do not share those views. As I have found, the new extension has been designed to reflect the contemporary design of the existing garage and main host property, and would represent a high quality addition to both. Indeed, the inclusion of a pitched roof would result in a building that was at odds with the host and potentially one of greater height and scale. Moreover, as is shown in the Appellants Grounds of Appeal and as I observed on site, there are a number of examples of flat roofed and two storey garages, gate houses and outbuildings on Panorama Road, a number of which appear to have been approved by the Council. Some of these examples are more prominent and thus visible from the road than the appeal proposal and some are not what I would define as 'traditional'.
11. Overall, I am satisfied that the impact of the proposed extension on Panorama Road would not be harmful. Accordingly, I find that the appeal proposal would not result in any harm to the character and appearance of the area and would be compliant with policy PP27 of the PLP, draft policy SAND5 of the SPNP, as well as the corresponding policies of the Framework and NDG.
12. The Council also allege that the appeal proposal would result in harm to the setting of the Sandbanks Conservation Area (SCA), the closest boundary of which extends along the common side boundary between the appeal site and 106 Panorama Road, to the north. As such, policy PP30 of the PLP and paragraph 201 of the Framework require consideration to be given to the impact of the development on the setting of this heritage asset. In this respect, I have based my assessment on the Sandbanks Conservation Area Character Appraisal & Management Plan (2009) (SCACAMP) and my own observations on site.
13. The SCACAMP states that the area has exceptional landscape qualities largely due to its coastal setting and that it has evolved more gradually than other parts of the peninsula. Generously spaced, elegant Edwardian houses and some Art & Crafts houses, are to be found within a sylvan setting, prominent in views from Brownsea Castle and Poole Harbour. The area is centred on a group of properties on the north shore facing the harbour that have a distinctive and identifiable character reflecting the areas historic development.
14. From the boundary of the SCA to the north of the appeal site, the SCACAMP states that the area has an informal character with houses screened from views on Panorama Road and surrounded by large trees. This leads to a continuous

line of large tree groupings extending to the shoreline at Old Coastguard Road. In relation to guidelines, these largely relate to development on the shorelines but for extensions and alterations the SCACAMP advises that these should relate to and complement the scale, proportions, quality and materials of the original building. There is no specific guidance in relation to detached outbuildings or garages.

15. I acknowledged earlier that there would be views of the proposed extension as you approach the appeal site from the north east on Panorama Road. Even so, those views would be of a modest extension set back behind a high stone wall and gates, framed by mature trees and landscaping and set against the backdrop of the three storey main house. As you approach from the south east, the proposal would effectively be screened from public view until you pass directly in front of the appeal site. The new extension would not, therefore, be highly visible or prominent in views into the SCA. Views from within the SCA would be of a modest extension, set back from the road, with an appropriate pallet of materials and contemporary design to reflect that of the host. For the above reasons, I am satisfied that the proposal would not result in any harm to the special interests and setting of the SCA.
16. Those findings are supported by reference the 'Townscape Map' in Appendix 2 to the SCAAMP. This identifies important 'views' within the SCA, which are addressed further in the appraisal. None of these 'views' relate to that part of the conservation area to the north of the appeal site. The Map also identifies properties and land that is considered to fall within a 'Conservation Area Setting'. Again, the appeal site is not included within this definition.
17. Accordingly, I find that the proposed extension is acceptable and that it would preserve the character and appearance of the SCA, as a whole, in that it would leave it and its setting unharmed. The proposed extension would represent a sympathetic, appropriate and high quality addition to the appeal site in accord with policy PP30 of the PLP and paragraph 212 of the Framework. As the proposal would leave the setting of the SCA unharmed there is no need to undertake the assessment set out in paragraphs 206 - 208 of the Framework.

Conditions

18. I have considered the Council's suggested conditions against the advice in the Framework and the Planning Practice Guidance chapter on the 'Use of planning conditions'. Conditions requiring compliance with the submitted plans and for the materials to match existing or otherwise be as shown in the application form, are necessary and reasonable to secure a high-quality development and to reflect the details included in the application. I also consider a condition on tree protection to be necessary, but have used standard wording that requires the development to be carried out in accordance with the recommendations of the approved Arboricultural Impact Assessment and Tree Protection Plan.

Conclusion

19. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR