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## Appeal Decision

Site visit made on 19 December 2024

**by John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 10 January 2025**

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**Appeal Ref: APP/V1260/D/24/3349527**

**47 Clifton Road, Poole, BH14 9PW**

- 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 Rebecca Smith against the decision of Bournemouth Christchurch and Poole Council.
  - The application Ref is APP/24/00142/F.
  - The development proposed is the erection of a detached garage with home office above at first-floor level.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached garage with home office above at first-floor level at 47 Clifton Road, Poole, BH14 9PW in accordance with the terms of the application, Ref APP/24/00142/F, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Drg Nos 162.E.03.G01B, 162.E.03.G02C, 162.E.03.G03C, 162.E.01.G03B, 162.E.01.G04B, 162.E.01.G05B, 162.E.01.G06B, 162.P.01.G01B, 162.P.01.G02B, 162.P.01.G03B, 162.P.01.G04B, 162.P.01.G05B, 162.P.01.G06B, 162.P.03.G01B, 162.P.03.G02B and 162.P.03.G03B.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 4) All site clearance, preparatory work and development shall take place in accordance with the Arboricultural Method Statement dated 4 June 2024 as shown on plan TC1 Ref DS/91824/AC prepared by Treecall Consulting Ltd and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.

### Main Issues

2. The main issues are the effects of the proposal upon the character and appearance of the area, and upon the living conditions at the appeal property with regard to visual impact.

## Reasons

### *Character and Appearance*

3. The appeal property is a large, detached dwelling of modern contemporary design with accommodation over four floors. It sits to the south side of a turning area at the terminal end of Clifton Road, a residential cul-de-sac comprising an eclectic mix of detached homes within an increasing woodland setting on the approach to the appeal site and beyond. The proposal is to erect a two-storey outbuilding with an 'L-shaped' footprint to the north-west corner of the site in front of the dwelling with a garage and workshop space at ground-floor and office at first-floor.
4. The topography of the area is such that land levels fall immediately and very steeply away from the back edge of the pavement to the south side of Clifton Road. As a consequence, the appeal property is split level and built into the land, with a three-storey elevation to the front and a four-storey elevation to the rear. More significantly, the levels changes are so severe that when seen from the public domain, although visually prominent, the dwelling is perceived behind its vegetated frontage as two-storey within the street scene, neither dominant nor overbearing within its setting.
5. Although the proposed outbuilding would be set forward of the existing dwelling, its siting would follow a natural partial closure of the vista along Clifton Road, where the buildings to both sides of the road terminate, whilst at the same time maintaining a sufficiently open aspect into the woodland walk that continues beyond the end of the cul-de-sac.
6. The new building would be obviously seen within the street scene. But due to its very tight relationship with the dwelling and its matching architectural form, it would meld comfortably, appearing as an integrated part of the original. Moreover, whilst two-storey in height, the ground floor would be out of sight from Clifton Road, with the smaller first-floor element appearing single-storey against the perceived two-storey backdrop of the existing. The small first-floor balustraded balcony area, which would serve as an entrance to the office space from the adjacent pavement via a small flight of steps, would merely form part of the plot's contemporary architectural approach to detailing. It would not appear out of place amongst the mixed character of the street scene which follows no regimented pattern or form, including in relation to front boundary enclosures to the back edges of the pavements.
7. I understand the Council's reticence to the erection of a two-storey outbuilding positioned to the front of a dwelling, which would ordinarily be unconventional. However, the setting and context of the appeal property leads me to conclude in this instance that the proposal would appear as a well-considered addition to the street scene that would be neither incongruous nor harmful to the character or appearance of the area. As such, I am satisfied that the proposal would display the quality of design that is required by Policy PP27 of the Poole Local Plan (PLP), adopted in 2018.

### *Living Conditions*

8. The proposed outbuilding would partially wrap around and sit tight to the north-west corner of the dwelling. There is a first-floor bedroom (bedroom 3) window to the front elevation that would face directly towards the balcony entrance area at the

same level. This would be akin to an outlook from any ground-floor bedroom and not harmful.

9. The outbuilding would be seen at close quarters to the left side of the outlook from bedroom 3. Whilst it would have a strong visual presence to one side, there would remain to be a fairly extensive outlook to the other. It would also compare in many ways to the outlook from bedroom 1, where I note the aspect to the left side is equally dominated by the three-storey forward projection of the dwelling's entrance hall and stairwell. This arrangement was obviously considered acceptable when planning permission was given for the dwelling originally. Moreover, the effects of the extension would not be imposed upon any third party. When all of this is considered, I am unable to detect any impact from the proposal that would be harmful to the overall living conditions at No 47. As such there would be no conflict with PLP Policy PP27 as far as it relates to amenity.

### **Conditions**

10. The Council has suggested some conditions in the event of the appeal succeeding. I have considered these in light of advice in the Planning Practice Guidance and the National Planning Policy Framework.
11. In addition to the standard time limit condition, a condition specifying the relevant plans is necessary as this provides certainty. In order to safeguard the character and appearance of the area a condition is required to ensure that the development is finished in materials to match the existing dwelling.
12. There are many trees on and adjacent to the site. These sit within Area A5 of a much wider Tree Preservation Order dated 1969 (TPO 40). The application was accompanied by an Arboricultural Impact Assessment and Method Statement with an accompanying tree protection plan. I agree with the Council that, to further safeguard the character and appearance of the area, a condition is required to ensure that the development proceeds in accordance with the recommendations of the method statement.
13. The proposal was made as a householder planning application for an outbuilding that would be incidental to the dwellinghouse. If the structure were not built or used as proposed, or if there was to be a material change of use in the future, then a separate grant of planning permission would be required and the building would be at risk of enforcement action if such permission were not granted. Therefore, a condition to control use of the building is not necessary.

### **Conclusion**

14. For the reasons given, the appeal is allowed.

*John D Allan*

INSPECTOR