



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: 21st January 2025

Appeal Ref: APP/V1260/D/24/3351208

7 Ken Road, Bournemouth, BH6 3ET

- 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 and Mrs Newman against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 7-2024-9077-S.
 - The development proposed is demolition of existing garage/store and replace with new structure to form garage/storage/home office and annexe accommodation.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage/store and replace with new structure to form garage/storage/home office and annexe accommodation at 7 Ken Road, Bournemouth, BH6 3ET in accordance with the terms of the application, Ref 7-2024-9077-S, 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 ASP.18.016.001, ASP.18.016.002, ASP.18.016.003, ASP.18.016.100, ASP.18.016.200 and ASP.18.016.300.
 - 3) No development above ground level shall take place until details / samples of all external facing materials to be used in the construction of the external surfaces of the development hereby permitted, including the natural roof slate, roof coping stone, window sills, plinth, render type (colour/finish), rainwater goods, decorative roundel, conservation rooflights, fenestration types (including material, design, nature of glazing and colour) and doors have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.
 - 4) No site clearance, preparatory work or development shall take place until a scheme for the protection of any retained trees on the site (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) has been submitted to and approved in writing by the local planning authority. The

scheme for the protection of the retained trees shall be carried out as approved.

Main Issue

2. The main issue is the effect of the proposal upon the setting of a listed building.

Reasons

3. The appeal relates to a two-storey property (No 7) with a wing to the north side, all originally occupied as a single dwelling (Stourcliffe House) but now subdivided into two, and with a further side attached pair of cottages. The range of buildings (now numbered from 7 to 11c) date from the mid 19th Century and are Grade II Listed as one single entity. The principal dwelling (No 7) is recognised for its character as a classically styled Stucco Italianate villa with an almost square floor plan, overhanging eaves and detailing, and ground floor entrance porch to the south side of the building. The porch faces on to a paved driveway and opposite a detached, triple bay, single-storey garage with loft space, set perpendicular to Ken Road. Stourcliffe House would once have stood in extensive landscaped grounds extending to the sea front. It now rests to one side, and appears very much part of, a residential suburban street. With no semblance of its original landscaped setting evident, I agree with the appellants' assertions that its historic value has been compromised by the development that has built up around it over time, but that the building remains architecturally significant as a fine example of a 19th Century marine villa.
4. The existing garage is understood to date from the early 1990s. The proposal is to replace this with a new, detached one and a half storey building on largely the same footprint with garaging, garden room and storage at ground floor and ancillary annexe accommodation above.
5. There is agreement between the parties that the existing garage block is of limited aesthetic value. I agree, and that it sits fairly unobtrusive to the side of the appeal property. The proposed replacement building would be taller, to accommodate the first-floor accommodation, and would be visually more prominent than the existing, but not significantly so. Neither do I consider that replacement of a building with one of different proportions would necessarily equate to harm in this instance.
6. I accept that the new building would appear more upright with some additional bulk, but only so relative to its small, one and a half storey form overall. Its high eaves line would be obviously comparable to the clear single-storey height of the dwelling's side entrance porch. In addition, and importantly so, the existing gap between the principal dwelling and the outbuilding would be retained. There would be no encroachment into the existing space to the side of Stourcliffe House. Regardless of the amount of floorspace proposed, in terms of scale and siting, although larger than the existing building, I am satisfied that the proposal would appear as an obviously subordinate structure in relation to the grand two-storey scale and proportions of the appeal property.
7. It is understood that Stourcliffe House originally had associated coach house and stable buildings that would have been remote to the dwelling. However, the evolved setting of Stourcliffe House is significant; its current setting reflecting nothing of its origins. Furthermore, there is evidence provided to support the appellants' view that villas of this age and type, within a tightly grained, urban setting, as is now the

case, would often have coach house buildings set close by. The design approach for the proposed outbuilding is intended to deliberately portray a converted coach house or farm building of its time. Whilst its function is for ancillary residential purposes, I cannot agree with the Council's assertion that the proposed building would be overly domestic in appearance or that it would somehow convey a confused history for the house. On the contrary, I find the appellants' considered approach to the form and materials of the proposed building to be sympathetic and complementary to the architectural and historic legacy of the principal dwelling.

8. Overall, having carefully considered the scale, proportions, siting, and appearance of the proposal, I am satisfied that the development would have no harmful impact upon how Stourcliffe House is seen or experienced within its surroundings. In the absence of any harm to its setting, the significance of Stourcliffe House as a designated heritage asset would be unaffected. As such, there would be no conflict with Policy CS39 of the Bournemouth Local Plan Core Strategy 2012, which seeks to protect designated heritage assets, or with its Policy CS41 as far as it seeks to ensure that all development displays a design quality that respects the site and its surroundings. For these same reasons there would be no conflict with the National Planning Policy Framework's objectives for achieving well-designed places and for conserving and enhancing the historic environment.

Conditions

9. The Council has suggested some conditions in the event of the appeal succeeding. I have imposed the standard time limit and plans conditions. The schedule of materials included on the planning application generally included materials that would be sympathetic to the setting of Stourcliffe House, but which were not specific. In the interests of safeguarding the setting of the heritage asset, I agree that samples of materials and detailing should be submitted to the Council for approval, prior to any new construction works taking place. The condition I have imposed is worded slightly different to that suggested by the Council.
10. There is a Holly tree to the frontage of the existing garage. This is shown as retained on the proposed site plan and I agree with the Council that it is of high amenity value and worthy of retention. In order to safeguard the character and appearance of the area, details of methods to safeguard the tree during construction are necessary. These will be required to be submitted to the Council and approved prior to any works, including demolition, commencing. I have simplified the Council's suggested wording.
11. The application was clearly made as a householder proposal including for annexe accommodation ancillary to the main dwelling. If the development was 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

12. For the reasons given above, the appeal is allowed.

John D Allan

INSPECTOR