



Appeal Decision

Site visit made on 11 February 2025

by **C Rose BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 February 2025

Appeal Ref: APP/V1260/W/24/3349632

13 Old Coastguard Road, Poole BH13 7RL

- 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 Cook against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is APP/23/00807/F.
 - The development proposed is demolish existing dwelling and erect replacement.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. Whilst paragraph numbers have altered, any policies that are material to this decision have not fundamentally changed. I am satisfied that this has not prejudiced any party, and I have had regard to the latest version in reaching my decision.
3. During the course of the appeal the Council confirmed that the appellant had obtained a Certificate of Lawfulness¹ verifying that a previous permission on the appeal site² remains extant. I will return to this below.
4. As the proposal is in a conservation area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issue

5. The main issue is whether the proposal would preserve or enhance the character or appearance of the Sandbanks Conservation Area and whether it would preserve the setting of non-designated heritage assets.

Reasons

6. The appeal site comprises a detached bungalow that lies within the Sandbanks Conservation Area (CA). The appeal site is set back slightly from Old Coastguard Road with its rear aspect facing the shoreline.
7. Sandbanks is located at the mouth of Poole Harbour having developed from wild heathland of sand dunes to a summer holiday place following the construction of the first lifeboat house and Coastguard Cottages that housed the lifeboat crews and their families. The CA comprises a relatively small area off the northern shore predominately characterised by the Coastguard Cottages and dwellings with harbour views.

¹ APP/24/00842/J dated 25 Sept 2024

² 04/18971/007/F

8. The Sandbanks Conservation Area Character Appraisal and Management Plan (2009) (the Appraisal) identifies the site as falling within Group 1: Old Coastguard Road. This section of Old Coastguard Road includes a grouping of dwellings either side of the road and, at the end of the cul-de-sac, the Royal Motor Yacht Club site with large boat shed. The buildings on the northern side of the road include a mix of 1930s extended dwellings and redevelopments with a more contemporary appearance. On the southern side are, in particular, 3-10 Old Coastguard Road (Coastguard Cottages) and related 'Dhobi' house, which the Character Appraisal describes as the architectural "centrepiece" of the cul-de-sac named after them.
9. The Coastguard Cottages are an attractive terrace of dwellings that the Appraisal explains are reported to be the oldest buildings on Sandbanks and linked to the history of the first lighthouse and the first lifeboat station. The Appraisal identifies the terrace forming Coastguard Cottages as Locally Listed Buildings and I consider them to be non-designated heritage assets. The appeal site, by reason of its close location on the opposite side of the road, forms part of the setting to the Coastguard Cottages.
10. The appeal site contributes positively to the setting of the Coastguard Cottages by reason of its original traditional form and height, very modest scale and set back from the street providing an open frontage. These elements ensure that the building does not compete visually with the Coastguard Cottages allowing an appreciation of their original form and setting reflecting the historic development of Sandbanks.
11. The Appraisal further states that the Yacht Club and the group of shoreline houses at 12, 13, 14 and 15 Old Coastguard Road (Group 1 in the Appraisal), located directly opposite the Coastguard Cottages, maintain a domestic scale style of the 1930s and the seaside vernacular of the modern movement. Part 7 Appendix 1 of the Appraisal identifies 13 Old Coastguard Road as making a positive contribution to the CA. The related description states that 'No.13 is the only small bungalow of its type, though it was extended towards the shoreline. Dates from the 1930s. The house is single storey, with a hipped clay tile roof and white painted plain rendered elevation. The front elevation has original, small-paned metal windows and gable. The low roof affords harbour views from some perspectives with older rendered chimneys to the west and a newer chimney to the east. Front boundary wall has roughcast render and brick on edge coping. Lawns laid out to the front and rear provide a soft landscape.'
12. This description is still reflective of the appeal property as viewed at the time of my site visit. As a result of its age, reflection of the development of Sandbanks and by reason of it being the only small bungalow of its type in the CA, the appeal property makes a positive contribution to the CA. However, as the building has not been associated with a well-known person, event or manufacturer/artist with no special landscape quality or archaeological importance, I do not consider the building to be a non-designated heritage asset.
13. While there are larger contemporary residential buildings further to the western end of Old Coastguard Road which are also located within the CA, they do not form such an immediate visual relationship to the appeal site in the same way as the Coastguard Cottages, particularly from the eastern end of the road and when on approach to these buildings round the bend to Old Coastguard Road. Furthermore, the appeal building and buildings immediately adjoining and opposite the appeal site are more traditional in nature than elsewhere on the road or further afield within Sandbanks.
14. As a result of a combination of the above, the significance of this part of the Sandbanks Conservation Area includes the historical, architectural and social importance of the Coastguard Cottages and 'Dhobi', all of which merit non-designated heritage asset status. Additionally, the appeal bungalow makes an architectural and visually important contribution to this part of the Conservation Area opposite the Coastguard Cottages by

reason of it reflecting the historical development of the area, design, scale and layout of spaces.

15. The scheme would include the demolition of the appeal property. In this regard, Policy PP30 of the Poole Local Plan November 2018 (LP) states that the Council will expect development to preserve or enhance Poole's heritage assets and that all proposals should preserve or enhance the historic, architectural and archaeological significance of heritage assets and their setting. It further states that developments within conservation areas and or affecting locally listed buildings should seek to retain buildings that make a positive contribution to the conservation area. This approach is supported by Policy SAND5 of the Sandbanks Peninsula Neighbourhood Plan (July 2024) (NP). This states, amongst other things, that development should retain and preserve buildings of architectural or local heritage value in a manner appropriate to their significance in accordance with national and local policy.
16. I have outlined above the importance and significance of the appeal property to the CA. As a result, the removal of the building that makes a positive contribution to the CA would cause harm to the CA and undermine part of its significance. As a result, it is contrary to LP Policy 30 and NP Policy SAND5. This harm weighs against the scheme.
17. The proposed dwelling would be contemporary in appearance, mirroring some development and use of materials further along Old Coastguard Road. However, the proposed building would have a greater footprint than the existing bungalow and extend significantly closer to the road through provision of a flat roof garage and entrance. Furthermore, it would be three-storey in height, be of a considerable bulk given its width and depth and comprise a flat roof. These elements combined would result in a bulky and boxy appearance, even considering the similar overall height in comparison with number 14. This would be at odds with the traditional form and pitched roof design of numbers 14 and 15 Old Coastguard Road and the Coastguard Cottages, and would be out of scale with number 12 Old Coastguard Road and the Coastguard Cottages. As a result and given the greater presence to the street by reason of its forward position, height and bulk, and less ground level frontage open outdoor space, the proposal would overly dominate this part of the street and the Coastguard Cottages causing harm the character and appearance of the CA and setting of the Cottages. This would be the case despite the planted green roof to the garage, which in itself is uncharacteristic of the immediate area.
18. I have had regard to the Sandbanks Peninsula Neighbourhood Plan Design Guide (Appendix G) Principle 1: Heritage that accepts a variety of roof shapes and recognises recent contemporary flat roof forms. However, I have also had regard to Principle 6: Built Form that states that building forms should take inspiration from existing surrounding development character and in this regard the proposal would be contrary to its immediate context where dwellings are more traditional in size and bulk with predominately pitched roofs.
19. It follows from the above that the demolition of the existing dwelling would be harmful to the character and appearance of the CA by reason of a loss of its significance. I attach substantial weight against the loss of the building. There would be additional harm to the character and appearance of this part of the CA from the proposed replacement dwelling that I attribute moderate weight. The proposal would also harm the setting of the Coastguard Cottages which are of high importance. However, as the proposal only effects the setting of the terrace, I attribute moderate weight to this adverse impact. In the overall balance, I give these matters collectively substantial weight against the proposal.
20. When taking account of all of the above, I find that the harmful impact on the character and appearance of the area would fail to preserve or enhance the significance of the CA as a whole. Furthermore, the proposal would harm the setting and significance of the locally listed buildings. Given that the harmful effect would be localised, the proposal would cause less than substantial harm to the significance of the designated assets to which I give

considerable importance and weight. In such circumstances, the Framework requires that less than substantial harm be weighed against any public benefits.

21. In this regard, while the proposal would provide a dwelling in a sustainable location, it would replace an existing dwelling and would not therefore add to the supply of housing. The proposal would provide a larger, newer modern family dwelling, make a more efficient use of the site and provide some economic benefits during and post construction. However, these benefits would be very modest given that the proposal is for a single dwelling and given that the existing dwelling is habitable and adds to the range and size of dwellings in the immediate area. While the proposal would be less vulnerable to flood risk due to its raised ground floor level, this would be a private benefit for the occupiers. Taking such matters into account, individually or together, the public benefits are not sufficient to outweigh the less than substantial harm to the significance of the CA and setting of the non-designated heritage assets that I have identified, and the great weight afforded to the asset's conservation.
22. In conclusion on this matter, the development would have a significant harmful effect and fail to preserve or enhance the character or appearance of the Sandbanks Conservation Area and fail to preserve the setting of non-designated heritage assets. As such, it would conflict with LP Policy PP30 and NP Policy SAND5, the aims of which I have outlined above. In addition, the proposal is contrary to LP Policy PP27 that, amongst other things, seeks a good standard of design and development that reflects or enhances local patterns of development and neighbouring buildings.

Other Considerations

23. The lack of harm to the living conditions of neighbouring occupiers, biodiversity, flood risk, land contamination and provision of suitable car parking are requirements of local planning policy and national guidance. As such I give them limited weight in favour of the proposal.
24. This appeal must be weighed against the fact that planning permission³ was granted for a replacement dwelling on the site and that the permission remains extant. The appeal proposal, related planning application and Certificate of Lawfulness relate to the replacement of the existing dwelling, similar to the current appeal proposal with an intention to redevelop demonstrated. As a result, the extant consent is similar in nature to the appeal proposal, there is a real prospect of the dwelling being replaced, and the extant consent carries weight in my consideration of this appeal.
25. However, given that the extant consent dates back to 2004, with no further implementation of that consent following the provision of the footings to the boathouse, as the existing bungalow has remained on site and is habitable, given the period of time that has passed and the intervening change of ownership, I am not convinced that there is a real prospect of the 2004 permission being completed. In this regard, it is noteworthy that it has not been put to me that the 2004 consent would be built out if the appeal were to be dismissed. As such, I give the presence of the 2004 extant consent limited weight.
26. Moreover, by reason of its smaller footprint, more traditional design form with a pitched roof, smaller bulk and lack of forward projection in comparison to the appeal proposal, I find that the appeal proposal would be more harmful than the 2004 consent on the character and appearance of the CA and on the setting of the Coastguard Cottages. This is the case despite the appeal proposal being positioned slightly further from the side boundaries of the site given that the difference is minimal.
27. My attention has also been drawn to other planning permissions within the cul-de-sac at No.12 Old Coastguard Road⁴. However, from the information before me, these planning permissions have not been implemented and have now expired. As a result, I give them

³ APP/12/01104/F

⁴ APP/15/01357/F and APP/19/00411/F

little weight in my consideration of this appeal. Furthermore, I am required to consider the appeal proposal on its merits.

28. There is no dispute between the parties that the Council cannot demonstrate the required supply of deliverable housing land relative to the five year requirement set out in the Framework. Consequently, the presumption in favour of sustainable development set out in paragraph 11 d) of the Framework is engaged.
29. However, by reason of the harm to the character and appearance of the CA and setting of non-designated heritage assets, the development is contrary to the provisions in Chapter 16 of the Framework that seek to conserve and enhance the historic environment and protect heritage assets. Given footnote 7 to Paragraph 11 d) i. of the Framework, and the harm I have identified to assets of particular importance, this provides a strong reason for refusing the development. As such, there is no need for me to carry out the assessment in Paragraph 11. d) ii. of the Framework.
30. The appeal site lies in close proximity to the Dorset Heathlands and Poole Harbour Special Protection Areas. However, as I am dismissing the appeal for other reasons, there is no need for me to consider this matter, or the related duties under the Conservation of Habitats and Species Regulations 2017 further.

Conclusion

31. The proposal would harm the character and appearance of the CA and its significance for the reasons set out above and is a matter to which I must attribute great weight. The proposal would also cause harm to non-designated heritage assets which adds further substantial weight against the development. I attribute limited weight to the benefits of the scheme as detailed above, and to other considerations including the presence of an extant consent.
32. For the reasons given above, the scheme would not comply with the development plan when considered as a whole and there are no material considerations, including the Framework, that outweigh the identified harm and associated development plan conflict. I therefore conclude that the appeal should be dismissed.

C Rose

INSPECTOR