



Appeal Decision

Site visit made on 10 April 2025

by **G Roberts BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 April 2025

Appeal Ref: APP/V1260/D/24/3357430
17 Hunt Road, Poole, BH15 3QD

- 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 K Brown against the decision of BCP Council.
 - The application Ref is APP/24/00406/F.
 - The development proposed is raise roof and provide new second floor loft extension including new dormers and roof lights, new external cladding, window replacement and internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted to raise roof and provide new second floor loft extension including new dormers and roof lights, new external cladding, window replacement and internal alterations at 17 Hunt Road, Poole, BH15 3QD in accordance with the terms of the application, Ref APP/24/00406/F and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as specified on the approved plans and in the application form.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: AG2023-10-03 Rev.B; AG2023-10-04 Rev.B; AG23/10/02 Rev.B.
 - 4) Prior to the commencement of the development hereby permitted a Preliminary Bat Assessment shall be submitted to and approved in writing by the Local Planning Authority. All the recommendations contained within the approved Preliminary Bat Assessment shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Application for Costs

2. An application for costs was made by the Appellant against BCP Council. This application is the subject of a separate decision.

Preliminary Matters

3. On 12 December 2024 the Government published a revised version of the National Planning Policy Framework (NPPF). However, the policies that are relevant to this

appeal have not changed, albeit some of the paragraph numbering has. For these reasons, I have not invited the parties to comment on the revised NPPF.

Main Issues

4. The main issues are: (a) the effect of the proposed development on the character and appearance of the host property and surrounding area; and (b) whether the proposed development would have an adverse effect on biodiversity and protected species.

Reasons

Character and appearance

5. The appeal site is located on the northern side of Hunt Road and comprises a largely red brick detached two storey property. The host property has previously been altered to include a first floor side extension with car port underneath but is otherwise a typical 1930's property of no specific historical or architectural value. To the east is 15 Hunt Road (No.15) which sits at a higher level to the appeal site due to the local topography and is a similar two storey property that retains more of its original features and includes a mixture of red brick and render. Beyond this, is a gable ended (with clipped roof) chalet style bungalow. A 1930's property adjoins this beyond which is a further gable ended chalet style property.
6. To the west of the appeal site is 19 Hunt Road (No.19) a recent infill development with a hipped roof, projecting bay and a mixture of render and timber cladding. The theme of 1930's properties interspersed with bungalows, chalet bungalows and two storey properties, both detached and semi-detached, continues along the road, and some of these have also been altered and exhibit different pallets of materials.
7. Based on the above, Hunt Road has no uniform character or style with properties varying in terms of their form (including roof form), scale, massing, design and pallet of materials. Roof forms vary from hips to gable ends or a combination of the two, with also examples of clipped roofs. This pattern is also reflected within Gorse Hill Close, referred to by the Appellant in their Grounds of Appeal (GOA). The latter contains further examples of properties that have been extended and remodelled that sit comfortably next to 1930's properties.
8. The appeal proposal involves raising the roof to provide a second floor loft extension including new dormers and roof lights, new external cladding, window replacements and internal alterations. The Council have not objected to the external cladding, windows and internal alterations, a finding that I concur with. Their first reason for refusal does contend however that the proposed increase in ridge height, combined with the new dormers and cropped gable, would create an incongruous, dominant and intrusive feature.
9. In support of their objection the Council have referred to policy PP27 of the Poole Local Plan (2018) (PLP). This states that new development should be of a good standard of design, and that development will be permitted where it reflects and enhances local patterns of development and neighbouring buildings in terms of matters such as height, scale, bulk, massing, materials and visual impact. For extensions, the policy states that these should be designed to respect and relate to the existing building and maintain and enhance any details that contribute positively to local character.

10. There is no reference in the reason for refusal or the Council's Delegated Report (CDR) to any adopted or informal supplementary design guidance for extensions.
11. More up to date policy guidance is provided in paragraph 135 of the NPPF which states that being sympathetic to local character should not prevent or discourage appropriate innovation or change. The policies of the PLP predate those in the NPPF as well as those in the National Design Guide (NDG) (2021). Paragraph 44 of the latter reinforces the NPPF by emphasising 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.
12. I understand that the proposal would increase the ridge height by just under one metre. This difference is in my view modest and within its local context acceptable. The evidence before me and my own observations indicate that the proposed ridge height would be similar to that on No.19 but still lower than that on No.15 due to the local topography. There are already varying ridge heights within the road due to the mixture of bungalows and two storey properties, and thus examples of where adjoining properties with different ridge heights sit comfortably next to which other and are an established part of the character of the road.
13. Below the higher ridge, the roof would be extended to form a gable end, with a clipped or small hip at the ridge. The roof would also be extended at the rear to form a gable end. Two new dormers are shown on either side of the roof, which the Council refer to as catslide dormers. The scale, bulk and massing of these new extensions and dormers would in my view be acceptable. I accept that it would result in a material change to the front, side and rear elevation of the host but I am satisfied that the increase in mass and form would not be significant or harmful to the host property or to the streetscene.
14. I am also satisfied that the proposal would not result in a visually dominant feature or incongruous form of development. The proposed alterations to the roof would integrate well with the proposed cladding, render and new windows that effectively refresh the appearance of the host property and give it a more contemporary feel. In doing so, it would accentuate the subservience of the existing side extension and retain the existing projecting bays albeit with a contrasting pallet of materials. As I confirmed earlier, the host is of no particular historical or architectural value and the design of the proposal would be sympathetic to its neighbours.
15. Moreover, as I found earlier, the road has no uniform character or style in that it includes elements of old and new. There is no evidence before me to suggest that the more recent developments have resulted in any harm and on the contrary they have in my view added to the varied character of the area. In this respect, I note that the CDR recognised the varying scale and design of properties within the road.
16. Turning to the proposed dormers, these would be set well back from the front elevation to the host and would be sited centrally within the roof, as extended. The size and scale of the new dormers would be modest and they would sit above the eaves and well in from the new gable ends. Whilst they would sit just below the extended ridge, their catslide design would mean that most of their scale and bulk would be appear to be at a lower level to this ridge. Consequently, the proposed dormers would be proportional to the hosts roof and front elevation, as extended and would not be visually dominant or harmful to the streetscene.

17. Loft conversions and hip to gable extensions are a common and successful means of providing additional accommodation. Overall, I am satisfied that the impact of the proposal on the host property and streetscene would not be harmful, and that the development would sit comfortably on the appeal site. Accordingly, I find that the appeal proposal would not result in any harm to the character and appearance of the host property or to the surrounding area and would thus comply with policy PP27 of the PLP and the corresponding policies of the NPPF and NDG.

Biodiversity and protected species

18. The Council contend that the proposal fails to provide a Preliminary Bat Appraisal (PBA) or a Biodiversity Appraisal (BA) contrary to the provisions of policy PP33(2) of the PLP and paragraph 187a) of the NPPF (previously paragraph 180a)).
19. Part (2) of policy PP33 of the PLP requires a BA to be submitted where there are protected or important species and habitat features either within the site or in close proximity to it. The appraisal will need to demonstrate that the development will not result in any adverse impacts and secures a net gain for biodiversity. Reference is also made to paragraph 187a) of the NPPF which seeks to protect and enhance sites of biodiversity value in a manner commensurate with their statutory status or identified quality in the development plan.
20. There is no credible or reasonable evidence before me to indicate that the appeal site is of any biodiversity value or that there are protected sites or species within close proximity. No reference has been made to any nearby sites with statutory status or where there are, for example, European Protected Species or any sites of identified quality within the development plan that might be affected by the appeal proposal. The CDR refers to the Primary School site, to the north west of the appeal site, as containing a potential ecological network, but there is no evidence that this has any statutory status or even local value and there is no suggestion that it is a site that has been identified in the development plan. Even if it was, there is nothing to suggest that the proposal to extend and convert the roof of the host property could have any impact on the 'potential ecological network'.
21. In terms of biodiversity net gain (BNG) as the GOA confirm the Appellant made a declaration on the application form to confirm their belief that the deemed BNG condition did not apply to the proposed development. As the development was the subject of a householder application and involved development within the curtilage of an existing dwellinghouse, it was thus exempt from BNG requirements. This is confirmed in paragraph 03 of the Planning Practice Guidance chapter on BNG (May 2024). In addition, the CDR does not refer to any advice being sought or provided by the Council's ecology officer or similarly qualified officer. As such, a BA is not in my view required or justified in policy terms.
22. Circular 06/2005 on Biodiversity and Geological Conservation states that the presence or otherwise of protected species and the extent to which they might be affected by a development is a material consideration. In this particular case the likelihood of a protected species (bats) being present is therefore a matter of judgement based on the evidence that is before me. The evidence suggests that the Council did not request a PBA even though it would appear they had sufficient opportunity to do so. The Council indicate that a PBA is a validation requirement but the application was validated and processed without it. The emails exchanged with the Appellant, reproduced with the GOA, indicate that this issue came to light

later in the process from the Council's records of a sighting of a bat to the rear of the appeal site in 2015. No further details have been provided of this sighting, in terms of who it was recorded by or where that sighting occurred. There is also no evidence that there have been any sightings since 2015.

23. The Appellant has also drawn attention to a similar householder development in Gorse Hill Close where, in granting planning permission in 2023, no PBA was apparently sought in support of that development. As I confirmed earlier, there is also no supporting advice from the Council's ecology officer or similar. There is, therefore, no evidence to suggest that, in this case, a precautionary approach should be adopted to any species protected under the Conservation of Habitats & Species Regulations 2019 (as amended).
24. As there is no substantive or credible evidence of a reasonable likelihood of protected species being affected by the proposed development, in my judgement, this is a situation where the circumstances dictate that it would be appropriate to secure a PBA through a planning condition. That approach would be consistent with the Appellants GOA, which confirmed their agreement to such a condition. Given the above, I find that the appeal proposal would not be contrary to policy PP33(2) of the PLP, paragraph 187a) of the NPPF or the relevant legislation.

Conditions

25. The Council has suggested several conditions which I have considered against the advice in the NPPF and the Planning Practice Guidance (PPG) chapter on the use of planning conditions. Conditions requiring the development to be carried out in accordance with the approved plans and specified materials, are reasonable and necessary in the interests of securing a high quality development. In line with my earlier findings I have also included a condition on the submission and approval of a PBA.
26. In relation to the requirement for obscure glazing and window fixings within the proposed dormers and rooflight, the CDR does not provide any evidence of what harm would arise from these windows to the living conditions of the occupiers of No's 15 and 19. All of the windows are small, set back within the roof, as extended and face onto the main roofs of No's 15 and 19. They also serve a staircase, en-suite and a secondary window to a bedroom. Consequently, I am not convinced that these windows would lead to any harm to the neighbours living conditions and I find that they are not therefore necessary or reasonable.

Conclusion

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

G Roberts

INSPECTOR