



Appeal Decision

Site visit made on 18 September 2025

by **E Worley BA (Hons) Dip EP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 October 2025

Appeal Ref: APP/V1260/W/25/3358782

Chessel Court, 1A Chessel Avenue, Bournemouth BH5 1LQ

- 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 James Jolliffe on behalf of Bourne-ville (SouthCoast) Estates Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 7-2024-29057.
 - The development proposed is described as '2No. additional floors of living accommodation to form 4 additional units - 2No. 2 Bedroom flats and 2No. 1 Bedroom flats'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposed development would include suitable arrangements for refuse storage.

Reasons

Character and appearance

3. The appeal site comprises a 2 storey flatted development located in a prominent position fronting Chessel Avenue. The area in which the appeal property sits is residential in character. While the properties comprise a mix of styles and ages, including numerous additions to the roofs, and variation in roof heights and forms, they are predominantly 2 storey in appearance. The height and scale of the appeal property, together with its hipped roof design is akin to the surrounding residential development. The appeal proposal seeks to extend the existing building upwards, with the addition of 4 flats across 2 floors, the upper of which would be accommodated within the roofspace, served by flat roof dormers to the front and rear elevations.
4. The proposed hipped roof, matching materials and fenestration detailing would be congruent with the form and appearance of the host building, and other properties nearby. Notwithstanding this, the increase in eaves and ridge height and overall bulk, scale, and massing of the additional floors, would result in a jarring change in height and volume to the existing building which would be inconsistent with that of the residential properties in Chessel Avenue.

5. The proposed dormer windows, of the size and unbroken form proposed, would further accentuate the height and scale of the property through the addition of further bulk to the upper section of the building. Moreover, the visual dominance of these features would be at odds with the scale and design of other roof additions in the street. Similarly, the introduction of second floor balconies to the front façade of the building, a component of the built form, which is not commonplace in the surrounding area, would appear as an anomalous feature which would add to the discordant appearance of the building.
6. Consequently, the additional floors as proposed, would result in an overly bulky, visually imposing development which would be at odds with the prevailing height and general form of the surrounding development and as such would diminish the character and appearance of the area.
7. I recognise that the Government gives general support to the principle of extending dwellings upwards, as demonstrated by Class AA of Part 1, Schedule 2 to the Town and Country Planning General permitted Development) (England) Order 2015 (as amended) which allows the enlargement of a dwellinghouse by the construction of additional storeys. However, the appellant indicates that the proposed scheme would not comply with the criteria under Class AA by virtue of the date of the construction of the building. I therefore attribute this very limited weight as a fallback.
8. Reference has been made to similar upward extensions in the area for which the Council has granted planning permission. However, I do not have full details in respect of these cases so I cannot be sure of the individual circumstances. In any case, I have determined the appeal on its own merits, based on the evidence before me.
9. For the foregoing reasons, I conclude that the proposed development would be at variance with the established pattern of the surrounding development and as such would harm the character and appearance of the area. In that regard it would fail to accord with the combined aims of Policies CS21 and CS41 of the Bournemouth Local Plan: Core Strategy, adopted October 2012 (BLP) which expect development to contribute positively to the character of the area and maintain and enhance the quality of the street scene, and saved Policy 6.10 of the Bournemouth District Wide Local Plan, adopted February 2002 (BDWLP) which supports flats in the built-up area where they, among other things, respect or enhance the character and appearance of the area. It would also conflict with Policy BAP1 of the Boscombe and Pokesdown Neighbourhood Plan, made November 2019 (NP), which sets out that proposals should reflect the character of the area in terms of the general height of buildings.

Bin storage

10. The Council contend that the size and siting of the proposed bin store, specifically the distance from the highway, would not be appropriate to facilitate collections. Notwithstanding the submitted details, a condition could be imposed to agree the dimensions of the bin store to accommodate the two 1100L recycling bins and one 1100L refuse bin which the Council indicate are necessary, as well as the size of the access gate to the storage area.
11. However, despite the appellant's assertion that the facilities would comply with the standards set out in the Council's Residential Development: A Design Guide,

adopted September 2008 and best practice for refuse management, there is no substantive evidence before me to demonstrate that the location of the bin store, to the rear of the building and adjacent to the parking area, would enable convenient access by collection vehicles. Furthermore, without certainty regarding accessibility for refuse vehicles, or that alternative siting of the bin storage facilities, if necessary, would be practical or viable, it would not be reasonable to address this matter through the imposition of a planning condition.

12. I therefore conclude that, in the absence of any clear evidence to the contrary, the development would not include suitable arrangements for refuse collection from the site. Accordingly, it would conflict with the aims of Policies CS21 and CS41 of the BLP, which, among other things, expect proposals for residential development to be well designed, and Policy BAP7 of the NP which encourages new residential units to include the provision of adequate refuse storage. The Council's refusal reason also cites Saved Policy 6.10 of the BDWLP; however, it is unclear as to how it is of relevance to this issue.

Other Matters

13. The site lies within 5km of the Dorset Heaths Special Area of Conservation, Dorset Heathlands Special Protection Area and Dorset Heathlands Ramsar Site, the conservation status of which are at risk from increased recreational pressure. If I were minded to allow the appeal, I would need to be satisfied that the proposal would not have a significant effect on the integrity of the sites, either alone or in combination with other plans or projects, including through the undertaking of an Appropriate Assessment. However, given my decision on the appeal overall, there would be no pathways to significant adverse effects arising from my decision.
14. I note the appellant's concern regarding the way in which the application was determined by the Council, however, I have determined this appeal on its individual planning merits.

Planning Balance

15. For the reasons set out above, the proposed development would cause harm to the character and appearance of the area and would not include suitable arrangements for refuse collection. It would therefore fail to accord with the development plan when taken as a whole.
16. The Council is not able to demonstrate a 5 year supply of deliverable housing sites. In such circumstances paragraph 11 d) of the National Planning Policy Framework (the Framework) falls to be considered. In so far as this appeal is concerned, this indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
17. The proposal would boost the supply of housing, which is a key objective of the Framework, in a location where future occupiers would benefit from accessibility to amenities and facilities by means other than the private motor car. While the provision of 4 dwellings would not greatly improve total supply, given the current circumstances in the district any additional provision would be valuable. It would

also reflect the aims of the Framework which set out that decisions should promote an effective use of land in meeting the need for homes, and that substantial weight should be given to the benefits of using suitable sites within settlements for homes.

18. While the appellant development may incorporate energy efficiency measures, there is no substantive evidence that this would exceed normal policy expectations. I therefore attribute this limited weight.
19. The support for the proposal in the Framework set out above is countered by the importance of design, which is a key aspect of sustainable development, and establishes that development that is not well designed should be refused. As such, the harm to the character and appearance of the area attracts substantial weight. The failure to demonstrate adequate arrangements for the collection of refuse also weighs against the proposal. Thus, in this case, the adverse impacts would therefore significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, the proposal would not benefit from the presumption in favour of sustainable development.

Conclusion

20. For the foregoing reasons, having regard to the benefits of the proposal, there are no other considerations, including the provisions of the Framework, to indicate that a decision should be made otherwise than in accordance with the development plan. The appeal is therefore dismissed.

E Worley

INSPECTOR