



Appeal Decision

Site visit made on 1 October 2025

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2025

Appeal Ref: APP/V1260/W/25/3363002

561 Christchurch Road, Bournemouth BH1 4AH

- 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 Daniel Askar of Askar Investments LTD against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 7-2023-6116-G.
 - The development proposed is the construction of two number 1 bedroom residential units at rear of commercial unit.
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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;
 - the effect of the proposed development on the living conditions of occupiers of the neighbouring properties; Flat 1 and Flat 2, 561 Christchurch Road, with particular regard to light, outlook and enclosure; and
 - whether the proposed development would provide acceptable living conditions for future occupiers with particular regard to privacy and external amenity space.

Reasons

Character and appearance

3. The appeal site is located in an area which is characterised by a mixture of uses including commercial and residential. The northern part of the appeal site is occupied by a three storey building which fronts a busy road which hosts a variety of retail, leisure and hospitality related businesses.
4. To the south of this frontage building is a single storey, flat roof structure and an area of hardstanding, accessed from Roumelia Lane, to the rear. Several of the nearby buildings also have lower structures to the rear of the primary frontage building. Elsewhere along Roumelia Lane taller, mews style development is located near to the back edge of the pavement.

5. The proposal comprises the construction of a pitched roof extension which would sit on top of the existing flat roof, containing a flat. The rear section of the ground floor unit would also be converted to provide an additional flat.
6. The proposed extension would be in an elevated position and would protrude above the prevailing building height of the single storey rear projections in the vicinity. As a result, it would jar uncomfortably with the prevailing form of development in the area. The gable end facing the lane would exacerbate the bulk and mass of the structure when viewed from the rear, resulting in an overly assertive and obtrusive appearance in this back-land location.
7. Furthermore, it would be divorced from the other first floor accommodation in the frontage building. This would result in an incongruous appearance which would be at odds with other nearby development and would be harmful to the character and appearance of the area, despite the proposed use of matching materials. Where larger buildings exist to the rear of the frontage properties, they tend to be wholly separated from the main building, creating a secondary frontage onto the lane. As such these are materially different to the appeal scheme.
8. The plans do not indicate the provision of landscaping within the site, however given the size of the site, I am satisfied that were I to allow the appeal a landscaping scheme could be secured by condition.
9. I conclude that the proposal would be harmful to the character and appearance of the area. It would therefore conflict with Policies CS6, CS21 and CS41 of the Bournemouth Local Plan: Core Strategy (Adopted October 2012) (CS), Policy 6.10 of the Bournemouth District Wide Local Plan (Adopted February 2002) (LP) and Policy BAP 1 of the Boscombe and Pokesdown Neighbourhood Plan (Adopted November 2019) (NP). Together these seek to ensure that development proposals, including flats, achieve a good standard of design, retain and enhance local distinctiveness, contribute to and respect local character of the area in terms of, amongst other things, scale, height, layout and appearance.

Living conditions – neighbouring occupiers

10. The existing building contains flats, the rear windows of which would face the proposed extension, some of which serve habitable rooms. As a result of the relatively limited degree of separation between these windows and the proposed extension, the proposal would undoubtedly result in a reduction in the level of day light entering these windows. This would be exacerbated by the orientation of the extension to the south of the effected windows, meaning that direct sunlight into these rooms would also be reduced.
11. Furthermore, due to the design of the extension, including the gabled roof, the elevation facing the existing windows would be bulky and relatively featureless. Given the proximity to these windows, the extension would be a dominant and oppressive feature to the rear. This would result in an adverse impact on the outlook from these windows and create an unpleasant sense of enclosure for occupiers of the existing flats when using the rear facing rooms.
12. I therefore conclude that the proposal would be harmful to the living conditions of the occupiers of the neighbouring properties; Flat 1 and Flat 2, 561 Christchurch Road, with particular regard to light, outlook and enclosure. It would therefore conflict with Policies CS21 and CS41 of the CS and Policy 6.10 of the LP which

together seek to ensure that development proposals respect the living conditions of existing residents.

Living conditions – future occupiers

13. The proposed ground floor flat would be served by windows on the rear elevation. The living room window would be relatively close to the proposed external staircase; however, it would not be directly adjacent to it. Whilst a degree of overlooking may occur for the short time during which the occupiers of the existing and proposed flats on the first and second floors approach the stairs, this would be relatively short lived and infrequent. As such the degree of harm in this regard would not be so great as to amount to unacceptable living conditions for future occupiers.
14. Neither of the proposed flats would be provided with external amenity space. The Council's Residential Development: A Design Guide (Adopted September 2008), recognises the value of external amenity space however it states that the amount and type of private outdoor amenity space will vary depending on the type of unit and the location of the development.
15. The proposed flats would not provide family sized accommodation and would be in a town centre location where it is not uncommon for flats not to have private external amenity space. I noted at my site visit that the appeal site is not far from areas of public open space and the beach which would provide recreational opportunities for future residents. In this context, bearing in mind the type of accommodation proposed and the location, I do not consider that the lack of external amenity space would result in unacceptable living conditions for future occupiers.
16. I therefore conclude that the proposal would provide acceptable living conditions for future occupiers with particular regard to privacy and external amenity space. It would therefore comply with Policies CS21 and CS41 of the CS and Policy 6.10 of the LP which together seek to ensure that development proposals are well designed and provide appropriate amenities for future occupiers.

Other Matters

17. In addition to the matters discussed above the Council also refused the application for reasons relating to the effect of the proposal upon European habitats sites including the Dorset Heathlands Special Protection Area and Dorset Heaths Special Area of Conservation. In this instance, there is no need for me to undertake an Appropriate Assessment because I am dismissing the appeal for other reasons.
18. I recognise that the appellant sought to engage in discussions with the Council in respect of potential amendments to the proposal and acknowledge their frustrations in this regard. Nevertheless, I am required to determine the appeal on the basis of the submitted plans.

Planning Balance and Conclusion

19. The Council is unable to demonstrate a 5-year supply of deliverable housing sites as required by the National Planning Policy Framework (the Framework), with supply said to stand at 2.1 years. In such circumstances paragraph 11d) and footnote 8 of the Framework are relevant.

20. In this instance the proposal would result in the provision of two dwellings in a location with good access to services and facilities. Given the size of the scheme these benefits would be relatively minor in scale. Nevertheless, given the level of the shortfall in housing supply, I give the benefits of the proposal moderate weight.
21. I have concluded that the proposal would result in harm to the character and appearance of the area and to the living conditions of Flat 1 and Flat 2, 561 Christchurch Road. This harm would be significant and long-lasting. The proposal therefore conflicts with Policies CS6, CS21 and CS41 of the CS, Policy 6.10 of the LP and Policy BAP1 of the NP. These policies are consistent with the Framework which states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve and that decisions should create places with a high standard of amenity for existing and future occupiers. I therefore attach significant weight to the conflict with these policies. The lack of harm in respect of the living conditions of future occupiers is a neutral factor in the appeal.
22. Therefore, in this instance the adverse impacts of allowing the appeal would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.
23. The proposal conflicts with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, the appeal is dismissed.

E Pickernell

INSPECTOR