



Appeal Decision

Site visit made on 13 November 2025

by **J Evans BA(Hons) AssocRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 November 2025

Appeal Ref: APP/V1260/D/25/3370221

109 East Avenue, BOURNEMOUTH BH3 7BX

- 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 Kieron Franklin against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is P/25/00395/HOU.
 - The development proposed is described as a two storey rear extension with modifications to existing roof and existing dormers, an additional front dormer and rear Juliet balconies.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of the appeal proposal from the decision notice and the appeal form, as I consider this better reflects the proposed development before me.

Main Issue

3. The main issue is the effects of the appeal proposal on the character and appearance of the area and on heritage assets, namely the Meyrick Park and Talbot Woods Conservation Area (the CA).

Reasons

4. No. 109 is a dormer bungalow with a semi detached flat roofed garage connecting to No. 111 to the west, it is positioned towards the western end of East Avenue. It falls within the CA, and the Meyrick Park and Talbot Woods Conservation Area Appraisal July 2009 (the CAA) describes the western end of East Avenue as consisting originally of mid C20 post-war houses. This description is consistent with what I found during my site visit, although it was evident that a number of these properties have been modified and adapted over time.
5. No.109 itself, has similar characteristics to No.111 next door, and there are some similarities with further properties to the east. However, there are marked variations in appearance, massing and overall style from what is found elsewhere in the immediate vicinity, such as at No.113 which is a large two storey property with extensive glazing to the road side elevation, and the property directly opposite No.98, which includes a contemporary styled boxed shaped extension to its western side. As a result, there is no overarching design characteristic along this section of East Avenue, form, massing and overall appearance varies.

Nonetheless, the overall feeling is of a pleasant residential environment, whereby the built form is predominately set back and interspersed amongst mature trees and landscaping.

6. The appeal proposal seeks to undertake a number of alterations to provide for a more usable and functional living space primarily at first floor level. As a result, the overall massing of No.109 would increase particularly to its sides and rear.
7. In isolation, a number of the proposed changes, such as the dormer windows and the pitched roof to the entrance porch would represent relatively modest adaptations which would appear consistent with the characteristics of No.109 and the surrounding area.
8. However, the raising of the roof profile alongside the depth of the proposed works would result in a top-heavy and elongated appearance to the dwelling on its sides and rear. The proposed changes would be visible from East Avenue, particularly from the west, where there is a distinct visual gap of building form between No.109 and No.111. Whilst I appreciate that when viewing the proposal immediately outside of No.109 the massing increase may not be immediately discernible, the bulkiness that would be created would be evident whenever the sides of the dwelling would be visible, and in such circumstances, what would be created would differ from the more angular roof form that currently exists and would represent a significant building mass in both height and depth. Ultimately this would appear as odd and unusual, to the detriment of the character and appearance of No. 109, and that of the wider area.
9. I have taken into account that a number of properties along East Avenue have flat roofed sections to their roof profiles, in particular the property No.107 adjacent to the east which the appellant has specifically referred to in their Appeal Statement. This property includes an angular roof form which then meets a flat roofed section. This works reasonably well in the case of No.107. This is due to a number of factors, including: the overall physical width of the property itself; the extent of the angular roof form leading up to the flat roofed section from ground floor eaves level to the front and side elevations; the close physical relationship with neighbouring properties; the setback positioning; the retention of the original chimney details; and the intervening natural screening towards East Avenue. As a result, it is not possible to readily appreciate the massing of this property to its rear elevation other than in private neighbouring gardens, and visibility and appreciation of the side components of the building are not prominent.
10. Unfortunately, the same can not be said for the proposal before me, as a combination of the depth of the proposed roof extension, the size of the flat roof, and the extent of the two storey building mass that would be readily visible. As I have set out above, the proposal would create a top-heavy and elongated building mass as perceived from vantage points along East Avenue, that would appear out of place and incongruous.
11. No.109 falls within the CA, and as the appellant sets out, the CAA identifies that the appeal property, and others in the immediate vicinity to the appeal site, such as No.107 and No.111 on either side, are neutral contributors to the character or appearance of the CA. Para 4.129 of the CAA explains that *'A range of buildings are covered by this classification; many still possess merit and provide some form of contribution to the conservation area, especially when set in attractive gardens*

and surrounds with appropriate boundary treatments. Alterations are only acceptable where it is appropriate for these properties and preserves or enhances the conservation area.’ In my view, this is a fair description of No.109.

12. The CAA also sets out that a number of other properties, including No.113 and No. 98 which I referred to earlier, are negative contributors. Para 4.130 setting out that *‘There are inevitably a few buildings that make a negative contribution to the conservation area, detracting from its character and appearance.’* The style and appearance of negative contributors are not examples that should be typically repeated and I also do not know the particular circumstances of the planning history regarding these properties in any case. Their presence in the CA near to No.109 does not therefore alter my judgement.
13. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the CA. These statutory requirements are reinforced through Policy CS39 of the Bournemouth Local Core Strategy 2012 (the LCS).
14. Paragraph 212 of the National Planning Policy Framework 2024 (the Framework) says when considering the impact of a proposed development on the significance of a heritage asset (including conservation areas), great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 of the Framework explains that where a development proposal will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
15. For the reasons I have already set out, the appeal proposal would be harmful to the character and appearance of No.109 and the wider area. The appeal proposal also fails to preserve or enhance the character and appearance of the CA. This harm would be less than substantial as defined by the Framework and therefore should be weighed against any public benefits of the proposal.
16. In support of the proposal, the appellant has pointed out that they consider the accommodation is at present not fit for purpose and impractical for a family of four, and that they have aspirations to foster more children, providing a safe, stable home environment for children who cannot live with their birth families.
17. Whilst I have no reason to doubt that this would be the case, I have also not been provided with any evidence to suggest that this proposal is the only way of achieving these objectives and that a suitable alternative proposal could not be devised which provides the desired outcome, which is more sympathetic to the character and appearance of the area and the CA.
18. In summary, the harm that the proposal would have on the character and appearance of the area and the CA, carries significant weight against a grant of planning permission. In favour of the appeal, the proposal would allow for improved living space which would benefit the family life of the appellant and other occupiers of No.109. On balance, I consider that the harm which would be caused by the proposal outweighs any of the public benefits that would arise in this case.

19. Consequently, I find that the appeal proposal would conflict with Policies CS39 and CS41 of the LCS, the guidance contained within Residential Extensions: A Design Guide 2008 and Sections 12 and 16 of the Framework, which amongst other matters seek to ensure that development respects the site and its surroundings through its scale, density, layout, siting, character and appearance, and preserves or enhances the character or appearance of the CA.

Conclusions

20. The appeal proposal would have a detrimental effect on the character and appearance of the area and fails to preserve or enhance the character and appearance of the CA.
21. As a result of these negative effects, the proposal is in my view unacceptable, and contrary to the development plan, when read as a whole. There are no material considerations that would justify a decision contrary to the provisions of the development plan, in this case.
22. For all of the above reasons, having regard to all matters raised, I conclude that the appeal should be dismissed.

J Evans

INSPECTOR