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# Appeal Decision

Site visit made on 3 October 2016

**by Thomas Bristow BA MSc MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 18 October 2016**

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**Appeal Ref: APP/G1250/D/16/3156049**

**176 Hill View Road, Bournemouth, Dorset BH10 5BJ**

- 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 Ms N Searle against the decision of Bournemouth Borough Council.
  - The application Ref 7-2015-25892, dated 1 July 2015, was refused by notice dated 16 May 2016.
  - The development proposed is described on the application form as '*rear extension and raise roof height to form first floor accommodation*'.
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## Decision

1. The appeal is allowed and planning permission is granted for a rear extension and raised roof height to form first floor accommodation at No 176 Hill view Road, Bournemouth, Dorset BH10 5BJ in accordance with the terms of the application Ref 7-2015-25892, dated 1 July 2015, subject to the schedule of conditions in this decision.

## Main Issues

2. The main issues are the effects of the proposal on the character and appearance of the area and on the living conditions of the occupants of neighbouring properties with particular reference to outlook.

## Reasons

### *Character and appearance*

3. No 176 is a modest bungalow set within a long narrow plot within a suburban area of Bournemouth. Properties to the east of Hill View Road, as is the location of the appeal property, are typically bungalows of similar form and design to that of No 176 which appear to have been built collectively around the mid-twentieth century and are arranged in rigidly uniform linear plots. Properties to the west of Hill View Road exhibit a far greater variety in scale, form and design, with many appearing individually designed.
  4. Notwithstanding their common origins, properties to the east of Hill View Road have frequently been extended and altered beyond their original form, some extensively so. The ridgeline of neighbouring No 174 has previously been raised to provide for additional internal space, and there are further properties
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nearby with a ridgeline exceeding that of No 176 such as Nos 180 and 182. Whilst half-hipped roofs are the prevailing roof form of properties in the vicinity, nevertheless dormers of different configurations, often asymmetrically located, have subsequently been added to various properties and are clearly visible in the streetscene (including at Nos 178, 164 and 160).<sup>1</sup> Consequently, aside from gable ends facing Hill View Road and a consistent layout of properties within their plots, the roof form and design of properties to the east of Hill View Road in this location is notably mixed.

5. Policy CS41 '*Quality Design*' of the *Bournemouth Local Plan: Core Strategy* adopted in October 2012 (the '*Core Strategy*') sets out that all development should respect the site and its surroundings. Similarly *The National Planning Policy Framework* (the '*Framework*') sets out that planning should always seek to secure high quality design, and establishes that decisions should aim to ensure that developments will function well in their surrounding context and add to the overall quality of the area.<sup>2</sup>
6. The Council cites in their decision notice that the proposal would conflict with their document entitled *Residential Extensions: a Design Guide for Householders* adopted on 9 September 2008 (the '*Design Guide*'). Section 3 of the Design Guide sets out that dormers are not generally appropriate where there is a consistent roof line that their erection would disrupt, and cautions against '*changing the whole profile of the roof form*'. Although not part of the development plan, the Design Guide nevertheless indicates how development can be brought forward in an appropriate manner in respect of its surroundings in accordance with the approach in the Framework and *The Planning Practice Guidance* (the '*Guidance*') to promoting good design,<sup>3</sup> and can therefore be accorded due weight in this decision.
7. The proposal is to enlarge the property at ground floor level to the side and rear, encompassing the footprint of a conservatory and single storey extension currently present. The maximum ridge height would be raised by approximately one metre and span the full depth of the newly extended property, aside from cropped elements to the front and rear. A modest half-hipped dormer including a window would be installed within the new northern roof slope, and the front and rear elevations altered. The external materials to be used, primarily red brick and brown tiles, are consistent with those used within the existing property and those commonly employed nearby.
8. The proposal would clearly significantly enlarge the scale of the property. However the visual prominence of this change would be limited given that a gable end of the property faces the carriageway and consequently the majority of the extension would be screened from most vantage points by the form of neighbouring properties. The raised ridgeline would broadly accord with that of its neighbour No 174 and several others nearby.<sup>4</sup> Whilst the installation of a dormer within the new northern roof slope would disrupt the present symmetry of the property's roof line, various instances of similar dormers are present

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<sup>1</sup> The appellant further brings to my attention a significant number of alterations to the roofs of other properties nearby in paragraphs 1.2 and 8.9 of her appeal statement.

<sup>2</sup> Including at bullet point 4 of paragraph 17 and bullet point 1 of paragraph 58 of the Framework.

<sup>3</sup> As reiterated in particular in Guidance Reference ID: 20-020-20140306.

<sup>4</sup> A position set out in the appellant's *Design and Access Statement* accompanying the original application, which the Council appears not to dispute.

along Hill View Road and indeed asymmetrically sized and arranged dormers are present at neighbouring No 178. Consequently whilst the development proposed would significantly alter the property itself, this would not appear incongruous with reference to its surrounding context.

9. As such in my view the proposal would integrate appropriately with the varied nature of the streetscene and therefore neither appear unduly bulky or dominant with reference to the prevailing character and appearance of the area. In this respect the proposal consequently complies with the relevant provisions of policy CS41 of the Core Strategy and with relevant elements of the Design Guide and of the Framework.

#### *Living conditions*

10. Policy CS41 of the Core Strategy further establishes that all development should provide for a high standard of amenity, and the Design Guide provides practical guidance as to how development can be designed sensitively with reference to the living conditions of nearby occupants. Similarly bullet point 4 of paragraph 17 of the Framework sets out that planning should always seek to secure a good standard of amenity for all current and future occupants of buildings.
11. No 178 Hill View Road falls to the north of the appeal property and No 174 to the South. The Council foresees no adverse impacts arising to the occupants of the property to the south, and I have no reason to disagree with this position.<sup>5</sup> However there is a ground floor window within an elevation of the rear extension to No 178 serving its kitchen, in respect of which the Council are of the view that the proposal would result in an unacceptable level of enclosure. I observed during my site visit that there is already a substantial degree of enclosure between properties in the area as a result of their setting close to common boundaries within narrow plots. In this context it is reasonable to assume that occupants of properties accept a level of enclosure and indeed overshadowing commensurate with the nature of the built environment.
12. Moreover in this particular case there is a substantial single storey outbuilding within the plot of No 178 with a pitched roof which exceeds at its maximum height that of the eaves of No 176. In my view the presence of this building already serves to significantly reduce the outlook from, and natural light reaching, the rear extension of No 178. This clearly qualifies the extent to which the proposal would result in detriment to the occupants of No 178, particularly as the kitchen of No 178 appears to be a comparatively modest and primarily functional area of the property.
13. The window within the proposed dormer which is intended to serve a bathroom would, however, face at a slight angle a dormer window within the southern roof slope of No 178. Whilst the potential inter-visibility between these windows appears not to have been addressed in the information before me, it nevertheless seems to me that this element of the proposal could materially reduce the privacy from which the occupants of No 178 currently benefit. However this could be mitigated by the imposition of a condition requiring that

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<sup>5</sup> Notwithstanding that the properties falling to the north and south of No 176 are incorrectly identified as Nos 174 and 172 respectively within the Council's officer report and decision notice.

the window is obscure glazed and non-opening below eye level, as detailed subsequently.

14. For the above reasons, and subject to an appropriate condition, I therefore find that the proposal would not result in unacceptable effects to the living conditions of the occupants of neighbouring properties with particular reference to outlook. In this respect the proposal therefore complies with the relevant provisions of policy CS41 of the Core Strategy, and with relevant elements of the Design Guide and the Framework.

### **Conditions**

15. It is necessary to impose a condition requiring compliance with the relevant drawings supporting the application for the avoidance of doubt and in the interests of proper planning. It is similarly necessary to ensure that the external materials to be used match those of the existing property so that the design of the proposal respects the host property and the appearance of the surrounding area. For the reasons given in paragraph 13 above, it is similarly necessary to require via condition that the window within the proposed dormer is obscure glazed and non-opening above eye level.

### **Conclusion**

16. For the above reasons, and taking all other matters into account, the proposal accords with the development plan as a whole and with the approach in the Framework. I thereby conclude that the appeal should be allowed.

*Thomas Bristow*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following drawings supporting application Ref 7-2015-25892: 'BLOCK PLAN', '2243/02', '2243/03'.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The window of the dormer within the northern roof slope of the development hereby permitted shall be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the window is installed. The window shall be installed as such before the room that it serves is first brought into use, and retained as such thereafter.