
Appeal Decision

Site visit made on 5 November 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2019

Appeal Ref: APP/V1260/D/19/3235612

39 Panorama Road, Poole BH13 7RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Malone against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref APP/19/00423/F, dated 4 April 2019, was refused by notice dated 29 May 2019.
 - The development proposed is described as 'second floor extension and alterations with larger front balcony'.
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Decision

1. The appeal is allowed and planning permission is granted for the 'second floor extension and alterations with larger front balcony' at 39 Panorama Road, Poole BH13 7RA in accordance with the terms of the application, Ref APP/19/00423/F, dated 4 April 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 963-20-03B and 963-20-01D.
 - 3) The development shall be carried out in accordance with the external facing and roofing materials as specified on the approved plans.

Procedural matter

2. I have noted that extant planning permission for a similar development (ref: 18/00471/F) exists and that development has commenced. However, no balustrading to the second-floor balcony has been erected.

Main Issues

3. The main issues with the proposal are
 - i) The effect of the proposed balcony extension and associated potential for domestic paraphernalia on the character and appearance of the host building and street scene; and
 - ii) The effect of the proposed balcony extension on the living conditions of the occupiers of 37 Panorama Road with particular regard to overlooking.

Reasons

Character and appearance

4. The host building has an angular form over 3 storeys. Through its form, the materials palette of cream render and anthracite grey details, the floor to ceiling glazing, and glazed first floor balustrade, the host building's front elevation exhibits good-quality contemporary design. It adds to the notable variety of the built form within the street scene and more widely within the peninsula, whilst remaining sympathetic in character and appearance.
5. The extant planning permission provides a second storey glass balustrade to the front of the property. It is proposed to increase the extent of this balustrade to enclose the whole of the flat roof area forward of the third storey. This would provide an enlarged roof terrace over the extant approval by bringing the balustrade approximately 1.8m further forward.
6. On my site inspection I noted the slimline nature of the first-floor glass balustrade and its high quality. It is proposed to match this. Given the quality, transparency, and limited height of the balustrade I do not consider that projecting further forward over the existing ground and first-floor walls would be out of keeping with the host building. It would not demonstrably increase the mass or bulk of the built form. It would be in keeping with the host building's angular form and would not appear prominent or dominant.
7. Furthermore, I have noted a number of examples of balconies within the street scene and more widely in the context of the surrounding area. Glazed balustrades are not uncommon within these examples, including on Panorama Road. Whilst the proposal would not be identical to these examples it would be in keeping with them.
8. The character of Sandbanks is largely residential and the appeal site and surroundings on this side of Panorama Road exhibit this character. Upon many balconies in the area I noted tables, chairs and potted plants consistent with outside recreation. The extant approval would allow similar provision. I do not consider that the modest additional area of space sought here would demonstrably increase the amount of domestic paraphernalia such as to cause any harm within the context of this residential area.
9. Finally, I noted that the site is located opposite the Sandbanks Conservation Area (SCA). The significance of this edge of the SCA derives from the commercial activity of the boatyard. Given this and my findings above, I do not consider that the proposal would have any detrimental impact on the setting of the designated heritage asset.
10. In conclusion on the first main issue, the proposed balcony extension and associated potential for domestic paraphernalia would not have a detrimental effect on the character and appearance of the host building or the street scene. The proposal would accord with policy PP27 of the Poole Local Plan (November 2018) which amongst other aims seeks extensions and alterations to respect and relate to existing buildings and reflect local patterns of development.

Living conditions

11. I have stood on the flat roof and viewed the potential for overlooking of neighbouring property from the balustrade's position under the extant

permission and that now proposed. There would be no views from the position under the extant approval. However, from the revised position there would be views down into the front elevation windows of 37 Panorama Road from a very acute angle. Given the angle and the overhanging eaves, views however would be very limited to little more than the window sill. Whilst it may therefore be possible for occupiers of No 37 to look up and see the edge of the balcony, I do not find that this would result in a perception of being overlooked. Even if that were the case, I do not consider this to be equivalent to actual overlooking. Additionally, I am mindful that the majority of the balcony area would not be visible from No 37, and that the view is drawn in a different direction towards the harbour.

12. In conclusion on the second main issue, the proposed balcony extension would not have a detrimental effect on the living conditions of the occupiers of 37 Panorama Road with particular regard to overlooking. The proposal would accord with policy PP27 of the Poole Local Plan (November 2018) which amongst other aims seeks development to be compatible with surrounding uses.

Conditions

13. The Council have requested three conditions in relation to the time limited implementation of the permission, carrying it out in accordance with the approved plans and ensuring the materials accord with those plans. I find the conditions are reasonable and necessary to provide certainty and to protect character and appearance. Given my findings above I find no need for a condition to secure any privacy screens.

Conclusion

14. For the reasons given above I conclude that the appeal should be allowed.

James Taylor

INSPECTOR