
Appeal Decision

Site visit made on 29 January 2020

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2020

Appeal Ref: APP/V1260/D/19/3233929

21 Mission Road, Poole BH18 8JJ

- 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 Joanne Badley against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref APP/19/00415/F, dated 28 March 2019, was refused by notice dated 12 June 2019.
 - The development proposed is to remove existing conservatory; remove existing bungalow hipped roof; erect extension and form new gabled roof with dormers.
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Decision

1. The appeal is allowed and planning permission is granted to remove existing conservatory; remove existing bungalow hipped roof; erect extension and form new gabled roof with dormers at 21 Mission Road, Poole BH18 8JJ in accordance with the terms of the application, Ref APP/19/00415/F, dated 28 March 2019, and the plans submitted with it, 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: 1:1250 scale Location Plan; 1:500 scale Block Plan; Drawing No. 1479/1 Rev B - Plans and Elevations.
 - 3) Development shall not proceed above damp-proof course level, and no roofing works shall take place, until details / samples of the materials to be used in the construction of the external surfaces of the extension and roof alterations hereby permitted, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupants of 23 Northbrook Road, with regard to daylight.

Reasons

3. The property is a detached bungalow that occupies a plot on the corner of Mission Road and Northbrook Road. It fronts Mission Road, but its side elevation is seen alongside the front elevations of other bungalows that face Northbrook Road. 23 Northbrook Road lies to the south of the appeal site, and

its front elevation projects further forward than the side elevation of 21 Mission Road. There are two high level windows in the side elevation of No 23, which are visible above the boundary fence between the two properties. These windows are sited further forward than the main side elevation of No 21, so they receive largely unobstructed light, albeit from a northerly direction.

4. The proposals involve the replacement of the existing conservatory on the side elevation, with an extension that would project a little further forward, and would occupy the full width of the bungalow. The existing hipped roof over the bungalow would be replaced by a new gabled roof, with a higher ridge, so there would be an increase in the height and bulk of the building close to the windows in the side elevation of 23 Northbrook Road. The proposed extension would also project further forward than the rearmost of the two windows. The occupant of 23 Northbrook Road did not want me to view the proposals from his property. I was therefore only able to assess the impact of the development from the appeal site and public vantage points.
5. The windows are in the north elevation of No 23, so are not a source of direct sunlight within the bungalow. There are large windows in the west-facing front elevation, and patio doors in the flat-roofed extension to the rear, which face east. Both will be more important sources of sunlight within the bungalow, and they will be unaffected by the proposals. The Officer's report states that, at the time of the application, the two high level windows were the only source of light to a living room in the bungalow. However, subsequent evidence provided by the council indicates that the internal door between the rear extension and the living room has been removed. This would allow light from the east-facing patio doors to reach the living room, reducing the importance of the high-level windows in this regard.
6. Regardless of the internal arrangement of the bungalow, the windows face north, so only provide diffused daylight to the internal accommodation. Whilst the extension would be higher and closer to the windows, the forwardmost window would remain largely unobstructed, and would therefore continue to receive a similar amount of daylight. Although the extension would project beyond the line of the rear window, there would still be a significant gap between the buildings, and the roof of No 21 would slope away, allowing light to reach the window at a fairly shallow angle. Consequently, there would not be a significant reduction in the amount of light reaching the windows. Therefore, there would not be a harmful loss of light within the room served by them.
7. For the reasons given above, I conclude that the development would not result in a harmful effect on the living conditions of the occupants of 23 Northbrook Road through a loss of daylight. The proposal would therefore accord with Policy PP27 of the Poole Local Plan (2018) which seeks, amongst other things, to ensure that development does not result in a harmful impact upon amenity for local residents, considering levels of sunlight and daylight.

Conditions

8. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty. The council has suggested a condition relating to the external materials to be used. To ensure that the extension and alterations assimilate comfortably into their

surroundings, I agree that details of external materials should be submitted for approval.

9. The council has also suggested that I impose conditions to remove permitted development rights for new windows or dormers in the southern elevation, or for future alterations to the rooflights shown on the approved drawings. I do not consider that such conditions would be necessary or reasonable, as any work carried out as permitted development would have to comply with the Town and Country Planning (General Permitted Development) (England) Order 2015. This legislation includes limitations that would protect the privacy of the occupants of the adjacent dwelling.

Conclusion

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

Nick Davies

INSPECTOR