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## Appeal Decision

Site visit made on 27 October 2020

**by S Leonard BA (Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 5<sup>th</sup> November 2020**

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**Appeal Ref: APP/D1780/D/20/3257290**  
**3 Burgess Gardens, Southampton SO16 7AN**

- 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 and Mrs Annetts against the decision of Southampton City Council.
  - The application Ref 20/00574/FUL, dated 30 April 2020, was refused by notice dated 25 June 2020.
  - The development proposed is single storey front and rear extensions, roof alterations to increase the ridge height including side dormer and roof lights to provide first floor accommodation.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - The effect of the proposal on the character and appearance of the host property and the surrounding area; and
  - The effect of the proposal on the living conditions of the occupiers of neighbouring properties to the sides and rear of the appeal site, with particular reference to privacy.

### Reasons

#### *Character and appearance*

3. The appeal property comprises a modest, detached, hipped roof bungalow. It is located within a suburban residential area, comprising a mix of dwelling types and designs. When viewed from the public realm in Burgess Gardens, looking towards the head of the short cul-de-sac, the property is perceived as part of group of 4 single storey dwellings. Nos. 1 and 2 Burgess Gardens are similarly designed hipped roof bungalows, adjacent to which there is a pitched roof bungalow to the rear of 49 Burgess Road. The remaining street scene of the close comprises the side elevations, and rear garaging and outbuildings, of two storey properties which front onto Burgess Road.
4. The proposal would extend the dwelling to the front and rear, increase the height, scale and massing of the roof and alter its design and shape. However, these changes would not be unduly visually intrusive when viewed from the public realm of the street, nor appear incongruous in relation to the

neighbouring bungalows to the west, since the proposal would retain a hipped roof form at the front and sides of the building and a front bay feature window, and would utilise materials to match those of the existing building. Also, it would involve only a small increase in roof ridge height and a small front extension.

5. The resulting two storey property, incorporating a gable ended roof, would not be out of keeping within the context of surrounding residential properties which include chalet bungalows and two storey houses. The most significant changes to the roof form would be sited to the rear of the building, where they would not be visually prominent within the townscape, having regard to the staggered front building line of the appeal property and the bungalows to the west, and the set-back position of the property from the street and behind the rear garden of 57 Burgess Road.
6. However, notwithstanding the above, the design of the proposed box dormer would relate poorly to that of the roof slope within which it would be positioned. It would occupy a considerable amount of the side roof slope and would dominate the rear-most part of this side of the roof, due to a combination of its proposed length, depth and height, and close proximity to the main roof ridge and the rear gable end. The result would be a visually dominant and discordant element to the proposed roof.
7. The position of the dormer towards the rear end of the roof slope, combined with its proposed large size, would result in an unbalanced side elevation, which would be excessively bulky at its rear-most end. The large areas of blank wall around the window opening would serve to draw attention to the bulk of the dormer, resulting in an over-dominant top-heavy appearance. The lack of alignment with the ground floor fenestration below would further exacerbate the incongruous nature of the box dormer.
8. Whilst the dormer would not be readily visible in views from the street, it would be evident in views from the appeal site, and from neighbouring properties, to the detriment of the visual amenities of the wider area.
9. The appellant has drawn my attention to other flat-roofed dormers within the vicinity of the appeal site, which are publicly visible within the townscape. I saw, during my site inspection, that these differ from the appeal proposal in respect of their design, size and position in relation to the roof slopes within which they sit. In any event, I must determine this appeal on the merits of the scheme before me and the particular circumstances of the appeal property. The existence of other flat-roofed dormers in the area, does not justify the harm I have found.
10. I acknowledge that the proposal represents an amended scheme from that refused under planning application Ref 20/00108/FUL, including a reduction in the size of the dormer and depth of the rearward extension. However, this does not alter my findings in respect of the current proposal.
11. For the above reasons, I conclude that the proposal would cause significant harm to the character and appearance of the host property and the wider surrounding area. It would therefore be contrary to Saved Policies SDP7 and SDP9 of the *City of Southampton Local Plan Review, as amended 2015* (Local Plan), Policy CS13 of the *Local Development Framework Core Strategy Development Plan Document 2010* (Core Strategy), Policies BAS1 and BAS4 of

the *Bassett Neighbourhood Development Plan 2016*, and sections 2.3 and 2.5 of the *Residential Design Guide 2006* (RDG). These, amongst other aims, require new development to be of a high quality design, respect the scale and proportion of existing buildings, take account of the existing character of the surrounding area, and, in the case of dormer windows, not dominate visually the existing roof. For similar reasons, the proposal would also be contrary to Policies of the *National Planning Policy Framework 2019* (the Framework) which seek to secure high quality design as set out in Chapter 12.

### *Living conditions*

12. The sole proposed first floor window on the side elevation incorporating the dormer would serve a bathroom. The appellant has confirmed that it would be fully obscure-glazed and would be non-opening below a height of 1.7m above the finished floor level. Subject to a planning condition to ensure these design details, this window would not give rise to any direct overlooking of the neighbouring properties to this side of the appeal site.
13. The proposed 3 roof lights in the opposite side of the roof, facing No.2 would be sited high up within the roof and would be small in size. I do not have cogent evidence before me in respect of the proposed height of these windows above the floor levels of the rooms that they serve. However, if deemed necessary due to the height of the windows, a similar planning condition could ensure appropriate details in respect of glazing and opening design to ensure no direct overlooking of No.2. The small size and number of the proposed first floor side elevation windows is such that they would not give rise to the experience of perceived overlooking by occupiers of the side neighbouring properties.
14. The proposed first floor rear gable window would not give rise to any detrimental overlooking to occupiers of neighbouring properties, given the steep increase in ground level at the rear of the appeal site, whereby the back gardens of the adjacent neighbouring properties to the rear are sited at a significantly higher ground level than the appeal site. This, combined with rear boundary fencing and landscaping, would negate any harmful privacy impacts in respect of the properties to the rear.
15. The juxtaposition of the proposed rear first floor window in relation to both side neighbours is such that there would be no direct overlooking the rear garden of No.2. Any oblique overlooking to the neighbouring garden to the east side would be towards the rear-most part of the garden, and would be no more harmful than that which is typical within a built-up residential area.
16. For the above reasons, I conclude that the proposal would not result in a materially harmful impact on the privacy of the occupiers of neighbouring properties to the sides and rear of the site. In this respect, the appeal scheme would accord with Local Plan Saved Policies SDP1 and SDP9 and Section 2.2 of the RDG, in so far as these policies and guidance seek to ensure that new development respects neighbouring privacy and amenity. This is generally consistent with the Framework, which seeks to ensure that developments will function well and promote a high standard of amenity, health and well-being for existing and future users (paragraph 127).

### **Conclusion**

17. For the above reasons, I conclude that the appeal should be dismissed.

*S Leonard*

INSPECTOR