



Appeal Decision

Site visit made on 8 December 2020

by C J Ford BA (Hons) BTP MRTPI

a person appointed by the Secretary of State

Decision date: 25 February 2021

Appeal Ref: APP/V1260/D/20/3260690

41 Southbourne Coast Road, Bournemouth BH6 4DA

- 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 Trevor Hughes against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2020-23703-I, dated 28 March 2020, was refused by notice dated 16 July 2020.
 - The development proposed is amendments to roof and first floor layout.
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Decision

1. The appeal is allowed and planning permission is granted for amendments to roof and first floor layout at 41 Southbourne Coast Road, Bournemouth, BH6 4DA in accordance with the terms of the application Ref: 7-2020-23703-I, dated 28 March 2020 and subject to the following 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 approved plans; Drawing No's 001, 002, 005 and 006.
 - 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 north facing window serving the first floor bathroom shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall have a restricted opening system allowing a maximum opening of 10cm. The window shall be retained in that form thereafter.
 - 5) The northern dormer window in the east elevation shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall have a restricted opening system allowing a maximum opening of 10cm. The window shall be retained in that form thereafter.
 - 6) The roof lights in the west elevation shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall have a restricted opening system allowing a maximum opening of 10cm. The roof lights shall be retained in that form thereafter.

Main Issues

2. The main issues are;

- i) the effect of the proposed development on the character and appearance of the area and,
- ii) the effect on the living conditions of neighbouring occupiers with particular reference to outlook and privacy.

Reasons

i) *Character and appearance*

- 3. The appeal property forms the western end of a group of four detached chalet bungalows of a modern design. The four dwellings are of a similar height and each has a distinctive prominent front gable with attached first floor balcony. To the west of the appeal site there are further bungalows of a more traditional and varied appearance.
- 4. The Council has previously approved planning application Ref: 7-2019-23703-H, ('the approved scheme'). This gave consent for roof alterations including an increase in the height of the whole roof, the formation of a rear gable and an additional dormer on the eastern elevation, towards the rear. It also gave consent to marginally increase the extent of the roof through its projection over a small ground floor front extension. The appeal proposal is for a similar development but instead of a hipped roof on the western side of the property, it would be a dual pitched roof with front and rear gables.
- 5. While the property currently has a hipped roof form on the western side, as does No 43 to the east, this is not a general characteristic of the more varied street scene. Furthermore, the proposed dual pitched roof would be of a smaller scale than the approved main roof, with a lower ridge height. It would also be set further back at the front and rear than the main roof. It would therefore appear as a secondary feature and the front gable would comfortably assimilate with the distinctive gable front character of the four modern bungalows. Although there would be a connecting flat roof section, this would not be easily perceptible as it would be fairly narrow and screened by pitched tiled elements to the front and rear.
- 6. The appeal proposal would also provide some positive visual benefits over the approved scheme. In public views, it would reduce the high-level bulk to the west of the main dual pitched roof, including the removal of a side dormer. It would also remove an unusual windowless, flat roofed feature at the rear. The resulting built form of the dwelling would not appear overly large, cramped or out of proportion with its modest plot.
- 7. It is therefore concluded the proposed development would not have an unacceptably harmful effect on the character and appearance of the area. It would not conflict with Policy CS41 of the 2012 Bournemouth Local Plan Core Strategy (CS) which, amongst other things, seeks to ensure developments are well designed and respect the site and its surroundings. It would similarly not conflict with the National Planning Policy Framework ('the Framework') which expects good design which is sympathetic to local character. Additionally, it would not conflict with the Council's 2008 'Residential extensions, a design

guide for householders' (SPD), which expects proposals to maintain or enhance the character of an existing house and its setting.

ii) Living conditions

8. It is acknowledged that No 39 has a fairly small rear garden which feels somewhat enclosed, primarily due to the proximity of 31 Dalmeny Road to the north. The proposed change from a hipped to a dual pitched roof on the western side of the appeal property would result in an increased roof plane alongside and rising away from the boundary with No 39. However, as it would adopt a similar pitch to the approved hipped roof and would be contained within the same footprint, it would not have an overbearing or oppressive relationship with the neighbouring property. Furthermore, the removal of the bulk of the western dormer would have a positive visual impact in relation to No 39.
9. The positioning and size of the proposed obscure glazed windows would not result in any actual harmful overlooking of neighbouring properties, so long as conditions are imposed which require them to be obscure glazed and the opening restricted, (the latter to a maximum opening of 10cm, emulating conditions in the approved scheme).
10. As No 31 is already overlooked by a first floor rear facing window and that would continue to be the case in the approved and proposed schemes, the notion that the obscure glazed windows would create a harmful perception of overlooking would be immaterial in relation to that property.
11. Although the extent of the glazed area on the western side of the roof would increase in comparison to the windows in the existing and approved dormer, the glazing would be in the form of roof lights set at an angle. Consequently, they would not lead to a tangible greater perception of overlooking at No 39 than the smaller upright dormer windows.
12. Accordingly, it is concluded the proposed development would not have an unacceptably harmful effect on the living conditions of neighbouring occupiers with particular reference to outlook and privacy. Therefore, it would not conflict with Policy CS41 of the CS which seeks to ensure developments are well designed and of a high quality in relation to the amenities of neighbouring residents. Similarly, it would not conflict with the Framework which promotes high standards of amenity. Furthermore, it would not conflict with the SPD which specifies that proposals should not have an adverse effect on the living conditions or the amenity of neighbouring residents.

Conclusion

13. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be allowed.

Conditions

14. The standard time limit condition is imposed, as is a condition specifying the approved plans to ensure certainty. A condition requiring matching materials is imposed to ensure the development harmonises with the character and appearance of the existing dwelling. As previously noted, conditions are

imposed in relation to certain windows being obscure glazed and the opening restricted, in order to protect the privacy of neighbouring residents.

C J Ford

PLANNING DECISION OFFICER