



Appeal Decision

Site Visit made on 11 March 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 12 March 2021

Appeal Ref: APP/V1260/D/20/3263874

13 Seafield Road, Christchurch BH23 4ET

- 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 Richard David against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 8/20/0694/HOU, dated 18 August 2020, was refused by notice dated 15 October 2020.
 - The development proposed is two storey and single storey front, side and rear extension.
-

Decision

1. The appeal is allowed, and planning permission is granted for two storey and single storey front, side and rear extension, at 13 Seafield Road, Christchurch BH23 4ET, in accordance with the terms of the application Ref 8/20/0694/HOU, dated 18 August 2020, subject to the conditions set out in the attached schedule.

Preliminary Matter

2. On 1 April 2019 Christchurch Borough Council merged with Bournemouth Borough Council and Borough of Poole Council to become Bournemouth, Christchurch and Poole Council. The development plans for the merged local planning authority remain in place for the former area of Christchurch Borough Council until such a time as they are revoked or replaced. It is therefore necessary to determine this appeal with reference to policies set out in the plans produced by the now dissolved Christchurch Borough Council.

Main Issue

3. The effect of the proposal on the living conditions of the occupiers of the neighbouring dwellings, with particular regard to their outlook.

Reasons

4. The appeal property is a sizeable detached dwelling, located on a residential street with detached dwellings to either side. Many dwellings in the area occupy most of the plot width, including a number with full two storey forms filling the width. Dwellings are orientated with openings to the front facing the road and to the rear facing enclosed rear gardens.
5. The proposal would see the dwelling substantially extended to the front, side and rear. This would include a large two storey gable extension, that would face out over the rear garden of the appeal site, with full height glazing up to the apex of the roof.

6. Both neighbouring dwellings to either side of the appeal site are largely orientated to face out to the front and rear, towards the road and over rear gardens, not towards the appeal dwelling. No. 11 is set further into the plot than the appeal dwelling, to the extent that the proposed extensions at the appeal site would bring the rear of the two dwellings roughly into alignment. From the rear garden of No. 11, occupiers would be able to view the proposed rear gable when looking in a northerly direction. However, the proposed rear gable would be set in from the neighbour to this side beyond a substantial flat roofed extension with intervening hedges and garden vegetation. The visual impact of this two storey projection would be further lessened by the proposed intervening single storey extension. As such, although visible, it would not be dominant or harmful to the outlook of the occupiers of No. 11.
7. At the time of my visit the rear extensions to No. 15 Seafield Road (No. 15) were well underway¹. Although these extensions are single storey, once complete they will have the effect of substantially extending the rear of this neighbouring dwelling into the plot to a similar extent to the appeal proposal. The flat roof side extension to provide a dressing room and en-suite to bedroom 3 at the appeal site would not have a harmful impact as it would sit beside the two storey part of No. 15 and the single storey extension under construction. The proposed two storey rear gable would be set in from the boundary shared with No. 15, beyond the intervening single storey building along this side of the appeal site. Although it would be visible from the neighbouring garden the set back and the intervening wing would lessen the impact of this element, to the extent that it would not be dominant or harmful to the outlook of the occupiers of No. 15.
8. I am satisfied that the pleasant southerly and easterly rearward aspects of both of these neighbouring dwellings and their gardens, and thus the outlook that occupants of both of these dwellings currently enjoy, would be largely unaffected by the proposal.
9. In summary, the proposal would not have a harmful effect on the outlook of the occupiers of the neighbouring dwellings. It would accord with Policies KS1 and HE2 of the Christchurch and East Dorset Local Plan Part 1 Core Strategy, Saved Policy H12 of the Christchurch Local Plan 2001 and Section 12 of the National Planning Policy Framework, which together seek to ensure that development proposals are well designed and do not adversely affect the amenity of existing occupiers.

Other Matters

10. The existing balcony set into the roof of the appeal dwelling would not be altered as a result of the proposal. Therefore, I am satisfied that the proposal would not result in additional overlooking in respect of the balcony.
11. In terms of the potential for overlooking from other aspects of the proposal, the proposed rear gable would be fairly central in the plot, orientated to face over the appeal site rather than towards neighbouring dwellings or gardens. It would be sufficiently distant from the dwellings to the southeast to avoid harm.
12. The proposal would see the scale of the building relative to No. 15 increase, however most of the two storey parts along the boundary with this neighbour

¹ Council Ref 8/20/0320/HOU

would be alongside the two storey side wall of the neighbouring house, which is without openings. There would be a modest impact on levels of light to No. 15, as the appeal site is to the southwest of this dwelling. However, taking into account the increase in depth to this property as a result of the extensions currently under construction, and the design and orientation of these extensions, I am satisfied that the impact would not be harmful.

13. The rear single storey extension would be close to the side of No. 11, which has some modest openings facing towards the appeal site. However, this element of the proposal is single storey and the openings from No. 11 already face northeast with limited direct sunlight. Furthermore, principal openings facing out to the front and rear of this neighbouring dwelling would be unaffected. For these reasons I am satisfied that this impact would not be harmful.
14. At my visit to the site I saw many examples of dwellings in the area that had received similar substantial extensions. I am satisfied that the overall scale, design and materials of the resultant dwelling would not be harmful to the character or appearance of the area. Although tight to the side boundaries of the plot the use of hipped roofs and staggered ridge lines would be sufficient to ensure that the plot does not appear overdeveloped.

Conditions

15. I have had regard to the planning conditions suggested by the Council. I have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have imposed a condition specifying the approved plans as this provides certainty.
16. I have imposed a materials condition to safeguard the character and appearance of the host property and the area, and a condition to remove permitted development rights for the formation of new openings on the side of the single storey rear extension hereby approved, to safeguard the living conditions of the occupiers of the neighbouring dwelling.

Conclusion

17. For the reasons above, the appeal should be allowed.

A Tucker

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 shall be carried out in strict accordance with the following submitted plans: 135 01D, 135 02B, 135 03B, 135 04A, 135 05E, 135 06E, 135 07D and 135 08C.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the approved plans.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting, or modifying that Order), no further windows or doors (other than those expressly authorised by this permission) shall be constructed in the side (south-west) elevation of the rear single storey extension hereby permitted.