
Appeal Decision

Site visit made on 29 June 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2021

Appeal Ref: APP/D1265/W/21/3271850
434 Ringwood Road, Ferndown BH22 9AY

- 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 C Gardiner against the decision of Dorset Council.
 - The application Ref 3/20/0566/FUL, dated 25 March 2020, was refused by notice dated 10 November 2020.
 - The development proposed is partial front and side 2 storey extension to create 2 no. additional bedrooms.
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Decision

1. The appeal is allowed and planning permission is granted for partial front and side 2 storey extension to create 2 no. additional bedrooms at 434 Ringwood Road, Ferndown BH22 9AY in accordance with the terms of the application, Ref 3/20/0566/FUL, dated 25 March 2020, subject to the conditions in the annexe at the end of this decision.

Procedural Matter

2. The Council advised by e-mail on 1 July that there has been a re-submission of the above application. Nonetheless I have considered the proposal on its particular merits irrespective of this action.

Main Issue

3. The main issue is the living conditions of the intended occupants of the proposal and the potential occupants of the adjacent site.

Reasons

4. Ferndown is an extensive community on the outskirts of Bournemouth. The appeal site is close to its neighbourhood centre.
5. The appeal site includes a large twentieth century building dedicated to providing care for 26 residents with dementia. The frontage predominately consists of a car parking and turning area, whereas it is close to its side boundaries. The south western side has a small patio which is designated as a smoking area, which appeared utilised by staff as I saw on my site visit. This side of the building has an entrance door and several opening windows with obscure glazing.
6. At the south western side is a fence and the land levels fall down to a private drive serving properties to the rear. At the other, far, side of the drive is a

house which has planning permission¹ for re-development as flats. There is also approval² for demolition of the house in 2016 which partially has taken place.

7. The appeal proposal involves the relocation of a window in an existing first floor bedroom from front facing to side facing, which would be 6.6m away and in sight of the neighbouring re-development. The proposal would lead to a degree of overlooking, however the affected window of the flat would be secondary as the main aspect is to the front. The overlooking would be limited to daylight hours as one would reasonably expect the use of curtains thereafter. There is also a degree of overlooking currently particularly from the care home patio.
8. The permission for re-development was granted on 1 November 2018 and due to expire after three years. There was no apparent evidence of an intention to commence the re-development at the time of my site visit. I also note several of the conditions involve the pre-commencement submission of details and it has not been brought to my attention that submissions have been made or approved. Consequently, the implementation of that particular permission is not certain. I therefore only give this very limited weight.
9. The decision notice also expresses concern about living conditions of the occupants on the ground floor rooms in terms of natural light and outlook. Other existing rooms have similar outlook and the aspect includes some landscaping.
10. Due to the relative heights, re-development of the neighbouring site would not lead to overbearing enclosure or shadowing to the new windows of the care home residents.

Planning policy considerations and planning balance

11. I therefore conclude that in the very unlikely event that that permission was implemented the one-bedroom window would impair privacy to the detriment of the occupants of both the care home resident(s) and new flats. The proposal as such would contravene policy HODEV3 of the East Dorset Local Plan which seeks to protect privacy and policy HE2 of the saved Christchurch and East Dorset Local Plan Part 1-Core Strategy (CS) which has a similar purpose.
12. However, the proposal would provide 2 additional bedrooms for dementia residents within an established community with appropriate facilities and dedicated care. Such accommodation is needed for an ageing population and to ease pressure on effected families. The proposal would also bring economic benefits in terms of construction and employment of staff although this would be very limited.
13. Policy KS1 of the CS requires a balance between the impacts and benefits of the proposal. The National Planning Policy Framework (the Framework) paragraph 61 highlights the need for housing for particular groups in need, whilst paragraph 91 seeks to support health and well being. Paragraph 8 of the Framework sets out that achieving sustainable development involves three overarching objectives. The economic objective would be met by the construction and staffing, the social objective is met by the addition of the

¹ 3/16/1306/F

² 3/16/1090/PNDEM

specialist accommodation and the environmental objective would be satisfied by the use in such an accessible location.

14. Whilst there is conflict with the above Local Plan Policies, I have considered the Development Plan as a whole and the Framework. The merits of the development outweigh the conflict with the Development Plan policy.

Conditions

15. Paragraph 55 of the Framework and the Planning Practice Guidance (PPG) provide the tests for the imposition of conditions. The appellant has suggested conditions on the materials which would help clarity and ensure a satisfactory appearance, albeit with the wording of unless otherwise agreed removed in the interests of certainty. A condition on the submitted and approved plans is also added in the interests of clarity.

Conclusion

16. I therefore conclude that the appeal should be allowed subject to the conditions in the conditions annexe below.

John Longmuir

INSPECTOR

CONDITONS ANNEXE

- 1) The development to which this permission relates must be begun before the expiration of three years from the date of this permission.
- 2) The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans: Location and Block Plans Drawing No. 18-165-10A, Proposed Floor Plans 18-165-11A, Proposed Elevations 18-165-12A and Design and Access Statement.
- 3) The external materials to be used in the construction of the extension hereby approved shall match those of the existing building.