



Appeal Decision

Site visit made on 16 November 2021

by Baljit K Muston BA(Hons) PGDip MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2021

Appeal Ref: APP/V1260/D/21/3283748

49 Southbourne Overcliff Drive, Bournemouth BH6 3NL

- 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 & Mrs Lteif against the decision of BCP Council.
 - The application 7-2021-12090-F, dated 17 June 2021, was refused by notice dated 26 August 2021.
 - The development proposed is alterations and extensions to dwellinghouse to include the formation of new 3rd floor level and balconies.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:-
 - the character and appearance of the area; and
 - the living conditions of occupiers of neighbouring properties, with particular regard to whether the development would result in unacceptable overlooking or overbearing impacts.

Reasons

Character and appearance

3. Southbourne Overcliff Drive, in the vicinity of the appeal site, comprises a mix of residential development on its northern side, being mostly detached dwellings and blocks of flats. These vary in age and design as well as in height, ranging from two storey houses to four storey blocks of flats. In particular, permission exists for a four storey block of flats at No 47, the site immediately to the west of the appeal site, and this is currently under construction. This will continue a pattern of development along Southbourne Overcliff Drive, where the buildings on corner plots are often taller and bulkier than the rest of the development along the road.
4. No 49 is a three storey, detached, flat-roofed house of modern design. The house steps back on its plot, with each floor set back behind the one below. The appeal proposal would include the erection of an additional storey, on the same footprint as the existing second floor. The second floor would be extended forward, so that the new floor would be set back behind it.

5. The submitted plans show that the extended house would be the same height as the highest part of the new block of flats at No 47. However, the new flat roof on the appeal property would be slightly higher than the main flat roof of the new building next door. I agree with the Council that this would make No 49 compete with the adjoining new building in terms of its height, and mean that it would no longer appear as subservient to that corner block in that respect. This would be the case despite the additional storey being set back behind the floor below, and would run counter to the pattern of development along this part of Southbourne Overcliff Drive, where the corner blocks are higher than their neighbours. This would be particularly so when the appeal site is viewed on approach from the east, from which direction the additional height of No 49 would be apparent.
6. The Council is also concerned that the proposed extensions would mean that No 49 would encroach on the building line to its east. However, the projection at ground floor level already exists, and the proposal is to build within that. An additional terrace would be constructed above that, but this would not be that dissimilar from those in existence at first floor level on other houses to the east of the appeal site. In addition, the building line at the front of No 49 would still be slightly behind that at No 47. I do not consider that this aspect of the scheme would appear as out of keeping with the character of the area, in the way that the increased height would.
7. To conclude on this main issue, I consider that the additional storey and additional height of No 49 would appear as out of keeping with the pattern and character of development along Southbourne Overcliff Drive. This outweighs the lack of other harm to the street scene. I conclude that the proposal would have an unacceptable effect on the character and appearance of the area, contrary to Policy CS41 of the Bournemouth Local Plan: Core Strategy (2012), which requires developments to respect the site and its surroundings, in respect of, amongst other things, scale, character and appearance.

Living conditions

8. The Council makes it clear in its delegated report that its concern in respect of overlooking and overbearing impacts is in relation to 30 Clifton Road. This is the immediately adjacent property to the north. It has side windows facing towards the appeal site that appear to light habitable rooms, which would be affected by windows to the rear of the proposed development.
9. The appeal scheme includes an additional bedroom window facing towards No 30, from the higher third floor level. However, No 30 is already overlooked by windows at the rear of No 49 at first and second floor levels. In addition, windows to the rear of the adjacent property at No 51 overlook No 30, as will new windows to the rear of the four storey block of flats being constructed at No 47. As a result, I do not consider that the addition of one more window at the appeal site, facing towards No 30, albeit from third floor level, would amount to an unacceptable worsening of the overlooking that occupants of No 30 will suffer once the building works at No 47 are complete.
10. In respect of any overbearing impact, there will be a much greater impact on No 30 from the large four storey block of flats at No 47, which are closer to the boundary with No 30, than from an additional floor on the top of the appeal property. Again, I do not consider that the any small increase in overbearing impact from the appeal scheme would amount to an unacceptable worsening of

the situation that occupants of No 30 will be faced with once the building works at No 47 are complete.

11. I conclude that the proposed development would not result in an unacceptable effect on the living conditions of occupiers of nearby properties.

Conclusions

12. I have concluded that the proposed development would not have an unacceptable effect on the living conditions of occupiers of neighbouring properties. However, I have also concluded that the proposed development would have an unacceptable effect on the character and appearance of the area. This outweighs the lack of other harm and, for the reasons given above, I conclude that the appeal should be dismissed.

Baljit K Muston

INSPECTOR