



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: 10 January 2022

Appeal Ref: APP/G1250/D/21/3285059

37 Southlea Avenue, Bournemouth BH6 3AD

- 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 Rory Saxby against the decision of BCP Council.
 - The application 7-2021-28283, dated 11 August 2021, was refused by notice dated 5 October 2021.
 - The development proposed is a single storey side and rear extension, and a loft conversion, including raising of the ridge with a rear gable and two small side gables.
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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 nearby properties, with particular regard to whether the development would result in unacceptable overlooking.

Reasons

Character and appearance

3. Southlea Avenue is comprised predominantly of detached two and single storey dwellings from the early to mid 20th century. They vary in respect of their detailed design, with hipped roofs predominating, but with some examples of original front gables. Very few of the properties have extensions at roof level.
4. No 37 is located on the inside of a shallow bend at the bottom of Southlea Avenue. As a result, both its side elevations are very prominent in views up and down the avenue.
5. The appeal proposal involves a small increase in the height of the ridge of the roof. Because of the variation in roof design and height in the area, this in itself would not appear out of place.
6. However, the combination of the hip to gable extension to the rear of the roof and the gable-shaped dormer windows on either side would appear as highly incongruous within the local area. Because of the particular location of the house on the street, and the resulting visibility of its side elevations, they

would be unduly prominent within the street scene. In Southlea Avenue, where such roof alterations are not part of the established character, the proposal would significantly detract from the character and appearance of the area.

7. The appellant argues that the proposed dormers would be no different to roof additions that are often constructed as permitted development. However, in properties such as No 37, the need to increase the height of the roof to gain adequate headroom means that permission is required. It may well be that this is also the reason why few roof additions have been made to other properties in the road. Whatever the reason, each case must be determined on its own merits, and the existence of other dormer windows on other houses in other places is not a good reason to allow harmful development at the appeal site.
8. I conclude that the proposal would have an unacceptably harmful 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

9. The proposal would introduce two windows at roof level that would face to the side. From my site visit, it did not appear that these windows would provide views into any private areas of the houses on either side.
10. The bedroom window in the new rear gable at second floor level would provide occupants with additional views to the rear of the dwelling, from a higher level than from the bedroom on the floor below. However, I do not consider that such oblique views as could be obtained from this new window would give rise to unacceptable overlooking.
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 nearby 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