

Appeal Decision

Site visit made on 18 July 2022

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2022

Appeal Ref: APP/D1265/D/22/3298167

Mayfield, 1 Wych Hill, Bridport DT6 4JJ

- 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 and Mrs Dan and Zoe Rowe against the decision of Dorset Council.
 - The application Ref P/HOU/2021/05780, dated 30 December 2021, was refused by notice dated 18 February 2022.
 - The development proposed is for a first floor extension with dormer windows and carry out alterations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of proposed works within the planning application form cited that they constituted a resubmission of a previous scheme and that the proposal before me is a reduced version of that. I have retained those elements within the description that describe the nature of the operational development for which planning permission is required within the banner heading above and have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the appeal proposal upon the living conditions of the occupants of neighbouring residential properties, with specific reference to outlook, privacy and light.

Reasons

4. The appeal site relates to a detached bungalow located on lower ground than 3 Wych Hill which has a number of habitable room windows facing south west over it. I note that the ridge line has been reduced by 600mm than the previous scheme, however on the proposed north east elevation the new eaves line would be broadly in line with that of the existing bungalow's ridge.
5. This roof extension would give rise to a significant increase in bulk of the host dwelling which would detrimentally restrict the outlook from no3. I accept that a loss of light may be more difficult to substantiate in this instance with a view of the sky still being afforded, but nonetheless this does not outweigh the harm

that would be caused by the overbearing effect upon the residents of the neighbouring property.

6. The Council also stipulates that the proposal would give rise to a loss of privacy to the neighbour to the west/north-west, but is not specific in terms of which neighbour they are referring to. Nonetheless, I consider that it is reasonable to deduce that such neighbours could, at the very least, constitute those who reside at both 4 and 5 Marsh Gate. Due to the topography of the land, which rises quite steeply up in a northerly direction, there is already a fair degree of mutual overlooking in the rear garden scene, including due to other dwellings having dormer roof extensions. Combined with existing boundary treatments and intervening vegetation I consider, on balance, that the proposal would not give rise to a material loss of privacy to the occupants of the aforementioned neighbouring properties from the rear-facing bedroom window, annotated as serving proposed bedroom no4.
7. I can understand that the appellants must be feeling frustrated bearing in mind that they perceived that they had received positive pre-application advice from the Council following the first refusal of planning permission. I am not in a position to doubt that the existing bungalow is poorly configured for modern family life, however I am not convinced that the proposal before me is the only means of enhancing the level of accommodation at the property. Ultimately the Government's emphasis on maximising homeowner's flexibility to extend their homes is not at all costs, as in this case where concerning the impact upon the living conditions of the occupants of no3.
8. Therefore, notwithstanding my findings on light and privacy, I consider that by virtue of the increased height and resultant bulk of the appeal dwelling as proposed to be extended, the scheme would give rise to demonstrable harm to the outlook from 3 Wych Hill, contrary to Policies ENV12 and ENV16 of the West Dorset, Weymouth and Portland Local Plan (2015). Together these policies require extensions of buildings to not overpower neighbouring properties and that proposals should be designed to minimise their impact on the amenity of both existing residents and future residents provided, amongst other things, they do not have a significant adverse effect through an overbearing impact.

Conclusion

9. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR