



Appeal Decision

Site visit made on 22 July 2022

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 August 2022

Appeal Ref: APP/V1260/W/22/3292001

11A Fortescue Road, Bournemouth BH3 7JT

- 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 Daniel Martin against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2021-15252-A, dated 25 June 2021, was refused by notice dated 6 August 2021.
 - The development proposed is alterations to first floor flat including loft conversion, roof extensions and rooflights.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning report explains, in the view of the Council, that the proposal would cause overlooking to the occupants of 9 and 11b Fortescue Road. However, the reason for refusal references only 11 Fortescue Road. The appellant has noted that No 11 is not a single property and has conducted an analysis based on the relationship of the scheme with Nos 9 and 11b. Consequently, there would be no prejudice to the main parties if I was also to examine the effect of the scheme on the same properties.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the host building and area, and
 - the living conditions of the occupants of neighbouring properties with particular regard to any overlooking.

Reasons

4. Fortescue Road is located within a wider area of generally well established residential properties. Within Fortescue Road there are a variety of buildings including some rows of semi-detached houses and the linear form of the road allows some fairly long distance views along the frontages of the buildings. Quite a few of the properties display fairly consistent characteristics and, in particular, the extent of double height front bays topped by gables provides an attractive rhythm to the street scene. When travelling along the road, the spacing between properties becomes more evident and the full hipped sides of many of the roofs can then be experienced as a feature that adds to the generally consistent character and rhythm to the street scene.

5. However, not every property is the same and there are differences to the roofs of some buildings within the road and also the wider area. These differences stem either from the original construction or because the buildings have been subsequently altered. The appellant has highlighted some of these properties in the submissions and, at my site visit, I saw some buildings in the road which have side gables rather than fully hipped roofs, including a small number that are now not a symmetrical pair.
6. In terms of other variations of design within the locality, there are also buildings that have had dormers and other roof alterations, although they are reasonably limited in number given the extent of residential properties in the area. These roof additions often display features that have not added positively to the character of the host property and street scene.
7. 11a Fortescue Road is an upper floor flat and, together with the ground floor flat, the building forms a pair with the attached residential property. The overall building has a reasonably symmetrical appearance with hipped roofs, double height bay windows and front gables. In this way the building has similarities with the fairly typical and rhythmical appearance of other pairs of buildings on this side of the road.
8. The proposal to alter the roof from a hip to a gable would be noticeable within the immediate section of Fortescue Road and would affect the symmetrical nature of the building as a whole. This would erode an element of one of the architectural features that contribute positively to the character of the area. However, I consider that the harm would be modest within this part of Fortescue Road. This is due to the fairly limited opportunities within this road to experience the symmetry of the existing building and also because the gable would adjoin No 9, which is a detached building with a different roof form, and therefore the appeal site is not in a consistent run of similar pairs of buildings in the same way as some other buildings in Fortescue Road.
9. These properties in Fortescue Road also back directly onto Grafton Road and the rear upper sections of the buildings are generally open to public view. In this case, parts of the rear of the appeal building and its attached neighbour, is not only visible from Grafton Road but is in direct line of sight when approaching along parts of De Lisle Road. From these public vantage points, the slopes and arrangement of the roofs of the main building and rear projection are typical of this type of property and contribute positively to its character.
10. In these views, which are more expansive than from within Fortescue Road, the proposed hip to gable change would draw the eye as forming a building that would not appear balanced. This loss of symmetry to the roof profile would be conspicuous and unacceptably detract from the character and appearance of the host building, especially from parts of De Lisle Road.
11. The scheme would also involve the construction of dormer additions to the extended roof. Notwithstanding the proposed dark finish, the size and flat roofed appearance of the dormers would dominate the rear roofs of the main building and the rear projection. They would have an awkward relationship with each other and cover a majority of the rear roofs such that only a fairly limited area of the rear sloping roofs would remain. The wrap around design of the dormer to the roof of the rear projection would be especially ungainly because of its box-like form and the resulting loss of legibility of the original roof profile.

The dormers would have very little affinity with the positive aspects of the existing roof form and would not be sympathetic to the character and appearance of the host building and street scene when viewed from sections of Grafton Road and De Lisle Road.

12. Given the harm I have identified from the proposed additions, the scheme would not meet with the National Planning Policy Framework (the Framework) policy that development should add to the overall quality of the area and be sympathetic to local character.
13. It may be the case that if the building was in use as a single dwelling that the hip to gable aspect and/or the dormers may be permitted development. However, the building is in use as two flats and therefore these elements of the scheme would not appear to benefit from permitted development rights. Accordingly, I have assessed the scheme on its merits in relation to its impact on the host building and area, taking into account the character and appearance of the locality.
14. It follows from the above analysis that I conclude that the roof additions would harm the character and appearance of the host building and area. Accordingly, in this respect, the scheme would not comply with Policy CS41 of the Bournemouth Local Plan: Core Strategy (2012) (the Core Strategy) and the guidance in Residential Extensions: A Design Guide for Householders (2008) which, notably, indicates that the Council will seek to ensure that all development and spaces are well designed and of a high quality.

Living conditions

15. No 11a has a habitable room at the rear of the first floor accommodation. This room has a rear window that provides views out towards and along parts of De Lisle Road. The window also allows views down into the rear yard area that is used by the occupants of the ground floor flat, No 11b. This rear room also has a side window that allows fairly clear views to the patio and garden area of No 9. Additionally, No 11a has a bedroom that has a rear facing window that allows views into the side garden space used by the occupants of No 11b. Consequently, there are existing windows that allow views into the garden spaces of both Nos 9 and 11b and given the relationship of adjoining properties this level of mutual intervisibility between properties is not unusual.
16. The addition of the dormers to the roof of the building would include rear and side facing windows to the room identified for an office at the rear of the proposed second floor accommodation. In general terms these windows would be similar to the equivalent windows of the habitable room on the floor below. However, because the new windows would be higher it is likely that the views would be more out across the wider area than angled down into the adjoining garden spaces. I do not consider that these additional windows would add to the existing level of overlooking to a material extent. When neighbours were in their garden spaces, I am also satisfied that the windows, given their height above these areas, would not materially add to any perception of being overlooked.
17. Accordingly, I conclude the development would not adversely affect the living conditions of the occupants of the neighbouring properties by way of any material level of additional overlooking. In this respect the scheme would comply with the requirements of Policy CS41 of the Core Strategy and the

guidance in the Residential Extensions: A Design Guide for Householders (2008) which seek, amongst other things, to ensure that new developments protect the amenities of neighbouring residents.

Conclusion

18. There would be economic benefits resulting from the construction work, albeit for a limited period. The scheme would also provide additional and improved living accommodation for the present and future occupants of the flat. However, while worthwhile, the benefits of the proposal would be fairly minor. Consequently, these matters should afford only limited weight in favour of the development. The conclusion that no material level of additional overlooking would be created is neutral in the overall analysis.
19. On the other hand, I have found that the scheme would harm the character and appearance of the host building and area. Such harm would be contrary to the Core Strategy and Framework and is a matter that I attribute substantial weight. It follows that the benefits of the scheme would not outweigh the identified harm.
20. For the reasons given above, the scheme would not comply with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict. I therefore conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR