

Appeal Decision

Site visit made on 13 February 2023

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th February 2023

Appeal Ref: APP/V1260/D/22/3312080

43 Ashwood Drive, Broadstone BH18 8LN

- 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 R Stelmach against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref APP/22/00814/F, dated 10 June 2022, was refused by notice dated 21 October 2022.
 - The development proposed is for remodelling, refurbishment, ground and first floor extensions, construction of detached single storey double garage, new boundary treatment and gate.
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Decision

1. The appeal is allowed and planning permission is granted for remodelling, refurbishment, ground and first floor extensions, construction of detached single storey double garage, new boundary treatment and gate at 43 Ashwood Drive, Broadstone BH18 8LN in accordance with the terms of the application Ref. APP/22/00814/F, dated 10 June 2022 subject to the conditions set out below:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in complete accordance with the following approved plans: P_001 Rev A, P_007 Rev A, PA_008, PA_009, PA_010, PA_011, PA_012, PA_013 and PA_014.
 3. No finishing materials shall be utilised until details/samples of those to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details/samples.
 4. The extension hereby permitted shall not be occupied until the first floor window on the southern elevation has been fitted with obscured glazing, and no part of that window that is less than 1.7m above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the Local Planning Authority before the window is installed and once installed, the obscured glazing shall be retained thereafter.

Main Issue

2. The main issue is the effect of the appeal proposal upon the character and appearance of the area.

Reasons

3. The appeal site is located within a residential street comprising large, detached houses set within generous plots and being of an Arcadian nature with many mature trees. There is no clearly discernible design to dwellings within Ashwood Drive, although there are some contemporary examples within the locality; on the whole I consider that the vast majority of the architecture could not be described as 'traditional'.
4. The appeal dwelling is located within a small cul-de-sac whereby nos 39, 41, 43 and 45 Ashwood Drive are all bungalows; none of them look alike and by virtue of the change in ground levels, ridge heights vary, with no45 being higher than the appeal dwelling. Due to its location the dwelling is proposed to be extended would be reasonably well concealed from the wider surroundings with views of it more localised and partially screened.
5. Admittedly, the dwelling once extended would be of a 'boxy' design and would no longer have pitched roof elements, however I consider that it would be of a high quality and paragraph 126 of the National Planning Policy Framework (the 'Framework') stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Therefore whilst I accept that the proposed design would mark a clear deviation from that of the existing bungalow, as demonstrated by the approval at 57 Ashwood Drive, it is clear that the Council has not objected to contemporary forms of architecture in the past, although ultimately each case must be assessed on its own merits.
6. On this main issue I conclude that the proposal, which includes a new flat roof garage to the front of the site, whilst not reflecting pitched roof forms which are readily apparent in Ashwood Drive that it would have an acceptable impact upon the character and appearance of the street scene; and would comply with Policy PP27 of the Poole Local Plan (November 2018) and Policy BP08 of the Broadstone Neighbourhood Plan (June 2018) which together require a good standard of design in all new developments, maintain or enhance any details that contribute positively to local character; and complement the architecture of the existing building or group of buildings in the street scene.

Other Matters

7. I note the concerns raised by the occupier of 45 Ashwood Drive. Whilst the element of the proposal to be built over the existing garage would raise the overall height quite significantly in that particular location, nonetheless, as I have highlighted above, it would be on lower ground with a reasonable degree of separation between the two dwellings. Whilst this would be close to the common boundary, I note that the Council concluded that the proposed extended and remodelled dwelling would not cause a material loss of sunlight, daylight or outlook to the occupants of the neighbouring dwellings and I have been given no substantive reason to come to a different conclusion on this matter. I consider that the southern elevation would not be overly bland for a

flank elevation and whilst I note the desire to see the hedgerow retained, I am not convinced that the retention of this would be necessary bearing in mind that the majority of the proposal is above ground level. Due to its positioning, the hedgerow provides little overall amenity to the character and appearance of the area, therefore it would not be worthy of a Tree Preservation Order. Clearly, if the hedgerow were to be reduced or removed, which would be the appellants' prerogative as indeed is the existing situation, in the absence of any material harm to the living conditions of the occupants of the neighbouring dwelling, and bearing in mind that there is no right to a view within the planning system, I consider that these matters are not determining factors within this appeal.

Conclusion and Conditions

8. For the reasons set out above and having regard to all other matters raised by the parties, I conclude that the appeal should succeed.
9. Other than the standard time limit condition the Council recommends that conditions are imposed that require the development to be carried out in accordance with the approved plans and that materials and finishes to be employed on the external faces of the development shall be as specified in the application form. However, I consider that this is not suitably precise and therefore I consider it necessary to impose a condition that requires details/samples of such materials to be submitted prior to their installation, in the interests of the character and appearance of the area. Furthermore, I consider it is necessary to ensure that the glazing within the first floor window on the southern elevation be obscurely glazed with no opening element below 1.7m above the first floor level, in the interests of protecting the living conditions of the occupants of no 45 from overlooking.

C J Tivey

INSPECTOR