



Appeal Decision

Site visit made on 4 April 2023

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd May 2023

Appeal Ref: APP/V1260/W/22/3303330

Flat 4, 52 Stourcliffe Avenue, Bournemouth BH6 3PX

- 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 Ms Angela Macdougall against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2021-11928-F, dated 5 November 2021, was refused by notice dated 16 March 2022.
 - The development proposed is alterations and extensions to Flat 4 to create a kitchen.
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Decision

1. The appeal is allowed and planning permission is granted for alterations and extensions to Flat 4 to create a kitchen at Flat 4, 52 Stourcliffe Avenue, Bournemouth BH6 3PX in accordance with the terms of the application, Ref 7-2021-11928-F, dated 5 November 2021, and subject to the schedule of conditions below.

Preliminary Matter

2. My formal decision uses the description of development as set out on the application form as neither party has provided written confirmation that the revised description on the decision notice has been agreed.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the host building and the wider area; and,
 - the living conditions of neighbouring occupiers with particular regard to privacy.

Reasons

Character and Appearance

4. The site is located within a residential area characterised by houses and flats of different designs predominantly provided over two floors with converted roof spaces served by roof extensions of varying types and sizes. The provision of balconies is common in the area.
5. Flat 4 is located within the original pitched roof of a two-storey building. Further accommodation within the roof is provided via dormer windows and a mansard roof. Some of these roof alterations are visible from Stourcliffe Avenue. Despite these additional roof features, the original pitched roof form

and two-storey appearance of the building has been retained. From the rear of the site, the side dormer and the mansard roof extension result in an extended two-storey form comprising a variety of unrelated roof projections.

6. The proposal would replace an existing pitched roof to a rear projection with a further flat roof over the proposed new floorspace. The square and boxy appearance of the existing side dormer window and mansard roof already deviates from the original rear pitched roof form. In light of this, given the use of hanging tiles to match the existing roof finishes and position of the new roof addition between the existing dormer and mansard roof at a similar height, the proposal would result in a sympathetic roof form that better relates to the host building.
7. Given the existing roof extensions, the small scale of the proposed roof addition, its position on the rear of the property and height at a lower level than the ridge of the host building, the proposal would adequately retain the two-storey form and appearance of the building. Parts of the original hipped roof to the rear and side of the building would be retained. As a result, the extension would appear as part of a series of rear roof extensions to a two-storey building, as opposed to creating the appearance of a new full third floor. The extension would therefore complement the host building.
8. The proposed extension would be viewed in association with other roof structures and balconies of varying designs that are characteristic of the wider area. In addition, the extension would not be visible from Stourcliffe Avenue as it would be screened by existing roof forms. Whilst the proposed extension would be visible between two buildings on Stourwood Avenue, such views are limited, at a distance, and in the context of other roof structures of varying designs with planting between. As a result, the proposal would maintain the character of the area.
9. I note the Council's adopted document 'Residential extensions, A Design Guide for Householders' (2008) (DG) states that flat roofs are normally only appropriate on very small single storey extensions and that flat roofs and roofs with a horizontal emphasis should be avoided. However, given the presence of the existing flat roof dormer and mansard roof to the appeal property and suitable design of the proposal, the flat roof is appropriate in this instance.
10. Accordingly, I conclude that the proposal would not cause material harm to the character or appearance of the host building and wider area. It would therefore comply with Policy CS41 of the Bournemouth Local Plan: Core Strategy (2012) (LP), the DG and the National Planning Policy Framework (the Framework). Amongst other things, these require that developments maintain or enhance the character of the existing house and its setting, are well designed to respect the site and surroundings and achieve well-designed places.

Living Conditions

11. The proposed extension includes the provision of a small balcony area. The Council's concern relates to the elevated nature of the balcony above the gardens of neighbouring properties to either side of the appeal site. It is suggested that this would provide an opportunity for views from the balcony sideways down into these gardens.

12. There is some existing overlooking of the gardens to adjoining properties from windows serving Flat 4. Due to the central position of the proposed balcony extended off the rear projection to the building, and nature of the area providing a space for sitting out, the balcony would afford a greater opportunity for overlooking of the rear outdoor areas to neighbouring properties. However, the provision of privacy screens to both sides of the balcony at an appropriate height would adequately reduce the opportunity for casual overlooking. The provision of privacy screens can be secured by condition.
13. For the above reasons, I conclude that the proposal would not result in an unacceptable loss of privacy for neighbouring occupiers. As such, the proposal complies with Policy CS41 of the LP, the DG and the Framework. Amongst other things, these seek to ensure that new developments enhance the living conditions of neighbouring residents, respect neighbours and create a high standard of living conditions for existing users.

Conditions

14. I have considered Paragraph 56 of the Framework and the National Planning Practice Guidance in relation to conditions. In addition to the standard time condition, it is necessary for a condition to confirm the approved plans in the interests of certainty. Conditions are also necessary to ensure that privacy screens are provided to the sides of the proposed balcony and to obscurely glaze a proposed window in the interests of protecting the living conditions of the occupiers of neighbouring properties. I have, however, amended the suggested wording for reasons of conciseness and clarity.

Conclusion

15. For the reasons given I conclude that the appeal should succeed.

C Rose

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 2148 01A Location & Block Plan;
 - 2148 01 Proposed/Existing Floor Plan;
 - 2148 03 Proposed Elevations; and,
 - 2148 05 Proposed Elevations.
- 3) Prior to the first use of the balcony, privacy screens to the sides of the balcony area shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the privacy screens shall be maintained and retained.
- 4) Prior to the first use of the extension, the proposed second floor window marked as OG on the side elevation (on drawing no. 2148 03) shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard). The window shall be permanently retained as such.

END OF CONDITIONS