



Appeal Decision

Site visit made on 18 May 2023

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2023

Appeal Ref: APP/V1260/D/22/3309706

2 Watermead, 23 Willow Way, Christchurch BH23 1JJ

- 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 K Slater against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 8/21/1147/HOU, dated 30 November 2021, was refused by notice dated 18 August 2022.
 - The development proposed is described as a first floor extension.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by K Slater against Bournemouth, Christchurch and Poole Council. This application is the subject of a separate decision.

Main Issues

3. The main issues are the effect of the proposed development on the:
 - Living conditions of neighbouring occupants with particular reference to outlook; and
 - The character and appearance of the area.

Reasons

Living Conditions

4. 5 Watermead is located to the rear of the appeal site. A bedroom window, on the ground floor and a first floor living room with a balcony face onto the proposed development.
 5. During my site visit I entered this property and viewed the appeal site from these rooms. The living room area at No 5 is served by one window and a pair of French doors which both face onto the proposal. The bedroom has one window facing the proposed development.
 6. While single storey, the existing appeal building has a raised slab height and therefore a raised finished floor level when compared to surrounding land levels. The existing carport at the appeal site is also located close to No 5 and the contemporary design of the appeal buildings incorporate eaves and fascia sections which have an assertive and prominent design.
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7. These features, when read together, all increase the visual presence of 2 Watermead when viewed from No 5. I acknowledge the separation of the proposed development from No 5, including its curved edge and proposed landscaping. However, a further storey, when experienced in combination with the existing buildings at No 2, would substantially increase the scale, bulk and mass of the appeal property.
8. When viewed from No 5, the proposed development together with the host buildings would dominate views from No 5's upper floor. This would be visually overbearing causing an unacceptable loss of outlook to the occupiers of this neighbouring dwelling.
9. The ground floor window at No 5 is already compromised by the existing buildings at the appeal site, particularly the proximity of the existing carport at No 2. However, given the siting of the proposed development, this proximity of the existing carport would significantly screen any further loss of outlook from this window.
10. 3 Watermead has one primary window which faces onto the proposed development, however, this window is already impeded by the existing dwelling at No 2. The proposed development would therefore be significantly screened for these reasons, and this would mitigate any further loss of outlook from No 3's facing window.
11. The remaining dwellings would be either well separated or do not have directly facing primary windows. On this basis, the proposed development would not unacceptably harm outlook when viewed from these other dwellings.
12. However, for the reasons set out above, the proposed development would have an unacceptable impact on the living conditions of the residential occupants at 5 Watermead with particular reference to outlook.
13. The proposal would therefore unacceptably conflict with the relevant provisions of Policy HE2 of the Christchurch and East Dorset Local Plan, Part 1 Core Strategy 2014 (the Core Strategy) and Policy H12 of the Borough of Christchurch Local Plan 2001 (the Christchurch Local Plan). These, amongst other things, address the need for high quality design therefore respecting the living conditions of residential occupiers.

Character and Appearance

14. When viewed from the riverside, the character of the local area is defined by a mix of three storey, two storey and single storey buildings. The area is also characterised by a mix of different designs including contemporary buildings as well as those which are more traditionally designed.
15. While there are groups of bungalows of traditional design, when viewed in its wider context from the river facing side, the proposed development would sit in a diverse frontage where both contemporary design and two / three storey buildings are also readily apparent.
16. Change and innovation can be appropriate in certain areas and in this regard the proposed development would respond to both the host building and the wider buildings in the area in terms of its contemporary design, scale, bulk and massing. Materials could be controlled via condition, and it would add a further

layer of interest to a diverse frontage. This would therefore make a positive contribution to the riverside.

17. When viewed from the Willow Way side, the proposed development's massing and siting would follow the broadly established theme in terms of its height, bulk and mass. While existing materials and design are more traditional in this street scene, a contemporary building is already established at the appeal site and the proposed development would continue this established theme.
18. The appeal site is not located within but lies near to the Wick Village Conservation Area (CA). It is described as having a long history dating from the 14th century with some modern development. The Council did not object to the appeal based on any harm to the setting of the CA (subject to conditions). Given my findings above, I am inclined to agree. The character or appearance of the CA and wider area would therefore be preserved.
19. In conclusion, the proposed development would comply with the relevant provisions of Policy HE2 of the Core Strategy and Policy H12 of the Christchurch Local Plan. These, amongst other things, seek to promote high quality design which responds to local distinctiveness.

Other Matters

20. I have found the proposed development's impact upon the character and appearance of the area to be acceptable and I also note the Council did not object in respect to any other matters beyond its decision notice. However, the absence of harm is a neutral matter that weighs neither for nor against the proposed development.
21. I also note that the proposed development would provide economic benefits and would be an efficient use of land. However, given the scale of the development, I ascribe these benefits limited weight. I have nevertheless found unacceptable harm arises in respect to the living conditions of neighbouring occupants with particular reference to outlook and the benefits would not outweigh this harm.
22. I have also carefully considered the various other concerns raised by interested parties, however, none of these other matters raised outweigh or alter my conclusions on the main issues.

Conclusion

23. The proposal is therefore contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

N Praine

INSPECTOR