



Appeal Decision

Site visit made on 26 June 2023

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th June 2023

Appeal Ref: APP/V1260/D/22/3306669

8 Avalon, Poole BH14 8HT

- 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 M Shrubsole against the decision of Bournemouth Christchurch and Poole Council.
- The application Ref APP/22/00690/F, dated 18 May 2022, was refused by notice dated 14 July 2022.
- The development proposed is a dormer and first floor alterations.

Decision

1. The appeal is allowed and planning permission is granted for a dormer and first floor alterations at 8 Avalon, Poole BH14 8HT in accordance with the terms of the application, Ref APP/22/00690/F, dated 18 May 2022, and the plans submitted with it, subject to the following 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: 1582.01 - Location Plan; 1582.02 - Site Plan; 1582.03 - Existing Plans and Sections; 1582.04 - Existing Elevations; 1582.05 - Proposed Plans and Sections; 1582.06 - Proposed Elevations.
 - 3) Any tree work that is necessary to facilitate the development shall be carried out in accordance with British Standard BS 3998: Tree work: Recommendations (or an equivalent British Standard if replaced).

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal building is one of a row of bungalows that are accessed via Avalon, but with rear gardens backing onto Sandbanks Road. These bungalows form part of a cul de sac of dwellings that are arranged in an inward-facing U-shaped layout, with a line of four bungalows set in the centre. The buildings all have pitched tiled roofs with rendered walls, often above a brick plinth, and there is some order to their arrangement around the curved access road. So, there are some common features and, as a result, the overall development has a degree of cohesion.

4. However, there is also some considerable diversity in the design and scale of the individual dwellings. The bungalows in the centre of the site have low pitched roofs, without loft space accommodation. The group that includes the appeal site have much higher roofs, and some have dormer windows in the slopes facing Sandbanks Road. The dwellings on the eastern side of the access road are built into the slope, and incorporate lower ground floor accommodation, including garages with balconies over, giving a two-storey appearance to the road-facing elevations. One or two are, in fact, full two-storey houses. Consequently, there is not such a uniformity to the dwellings in the cul de sac that individual extensions and alterations are likely to harm the overall character of the area, provided they are of suitable scale, design and materials.
5. The proposed dormer would be constructed in materials to match the existing dwelling, and would be of similar design to those that already exist on the rear roofslope. It would be set within the existing eaves and ridge lines of the roof, and would only occupy a small proportion of the roofslope. It would, therefore, be a subservient addition, and the existing form of the building would remain intact. Consequently, it would respect and relate to the existing building, as required by Policy PP27(2) of the Poole Local Plan (November 2018) (the Local Plan).
6. The dormer would only be visible from limited public viewpoints. It would be seen from the turning head of the cul de sac, although from here it would be partly screened by the tree in the garden of No 9, and also by the fences and vegetation that line the pedestrian footpath that runs between the lines of bungalows. It is likely that some pruning of the tree would be necessary to facilitate the construction of the dormer, but this would not entirely negate its screening effect. In any event, the dwelling is set at a considerably lower level than the turning head, so the dormer would not be a dominant feature. As its scale and design would be appropriate to the existing dwelling, it would not appear as an unexpected feature in the street scene.
7. The dormer would also be visible through the gap between Nos 5 and 6 Avalon. From here, the development, with its glazing and "Juliet" balcony, would be evident, but it would be seen set back between buildings, and at a lower level, so would not be a particularly prominent feature. Furthermore, it would be seen in the context of the extensive glazed balconies that are prevalent on the dwellings on the eastern side of the cul de sac. Consequently, it would not appear as an incongruous addition.
8. I am mindful that there are not, currently, any other dormers on the inward facing roof slopes of the row of bungalows in which the appeal property is situated. However, these roof slopes are largely hidden behind the bungalows that occupy higher ground in the centre of the site, and by the high fences and planting along the pedestrian path that runs along their eastern boundaries. As a result, the roofs cannot all be seen together from any public viewpoints, so any consistency in their appearance is not readily evident. The dormer would not, therefore, be seen as a discordant feature in a uniform roofscape. Rather, from where it is visible, it would appear as an unremarkable addition to an individual dwelling within a cul de sac of properties that display a considerable level of diversity.

9. In conclusion, the dormer would be of a scale and design that would be compatible with the existing dwelling and its surroundings. It would be at a lower level than the limited viewpoints from which it would be seen, and it would also be partly screened by vegetation. Consequently, it would not be an overly prominent addition to the street scene, so would not harm the character and appearance of the area. The proposal would, therefore, comply with Policy PP27 of the Local Plan, which seeks to ensure a good standard of design in all new developments, including extensions to existing buildings.

Other Matters

10. The dormer window would look towards the back gardens and the windows in the rear elevations of 5 and 6 Avalon. However, it would be approximately 20 metres from the boundary, which is marked by a high close-board fence and planting. There is then another high fence, beyond the footpath, to the back gardens of Nos 5 and 6. Furthermore, the appeal site is at a considerably lower level, so views over the fences and down into the gardens would be limited. In view of the topography and the distance involved, the proposed dormer window would not result in any significant loss of privacy for the occupants of Nos 5 and 6.

Conditions

11. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty.
12. The Council has not suggested that any other conditions would be necessary. However, implementation of this planning permission is likely to require some pruning of the adjacent tree which, the evidence indicates, is protected by a Tree Preservation Order (TPO). The Council's Tree Officer did not object to any pruning that would be necessary to facilitate the development. The Planning Practice Guidance clarifies that consent is not required for carrying out work on trees subject to a TPO so far as such work is necessary to implement a full planning permission¹. To protect the health and appearance of the tree, I have imposed a condition requiring any necessary works to be carried out in accordance with best practice.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR

¹ Paragraph: 083 Reference ID: 36-083-20150415