

Appeal Decision

Site visit made on 14 August 2023

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th August 2023

Appeal Ref: APP/V1260/D/23/3323125
7 Rossley Close, Christchurch BH23 4RR

- 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 & Mrs Chumley against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref. 8/22/00883/HOU, dated 19 October 2022, was refused by notice dated 13 March 2023.
 - The development proposed is for a roof extension and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a roof extension and rear extension at 7 Rossley Close, Christchurch BH23 4RR in accordance with the terms of the application Ref 8/22/00883/HOU, dated 19 October 2022, subject to the conditions set out below:
 1. The development hereby permitted shall not begin 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: 1206/P03 Rev A, 1206/P04 Rev B and 1206/P05 Rev A.
 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. In reviewing the appeal documentation I noted that the original scheme was revised following advice from Officers of the Council and these were used to determine the proposal, the subject of the Council's decision notice. As part of their appeal submissions the appellants have submitted an additional drawing, Ref 1206/P08 which purports to provide an overshadowing diagram for 5 and 9 Rossley Close. This drawing identifies a 45° zone taken from the closest habitable room windows of these neighbouring properties and does not alter the nature of the scheme. Consequently I consider that no prejudice would be caused by third parties for me in taking this drawing into account in assessing the proposal. I have therefore determined the appeal on this basis.

Main Issues

3. The main issues in this case are the effect of the proposal upon the character and appearance of the area; and upon the living conditions of the occupants of adjacent residential properties, with specific reference to outlook.

Reasons

Character and Appearance

4. The appeal site is situated within a residential cul-de-sac comprising detached bungalows, many of which have been altered and extended over time, including the provision of first floor living accommodation of a chalet style. Therefore, I consider that there can be no objection in principle to the development proposal and note that the Council's Officer report comes to the same conclusion.
5. Furthermore, I have had regard to Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 – Core Strategy (2014) (CS) which requires new development within Christchurch and East Dorset to be of a high quality, reflecting and enhancing areas of recognised local distinctiveness. To achieve this it stipulates that development will be permitted if it is compatible with or improves its surroundings, in terms of a number of factors, including layout, site coverage, architectural style, scale, bulk, height, materials, visual impact and relationship to nearby properties. The final paragraph of this policy goes on to state that this is within the context of the Christchurch Borough Wide Character Assessment and that in special character areas development must respect the identified features and characteristics.
6. I understand that in this particular case the site falls within the Hoburne Lane – Hurstbourne Avenue Character Area which displays quite a wide variation in characteristics, but essentially highlights that it comprises a mixture of detached bungalows and housing from the 1940s and 1970s with a style that varies between individual streets and on modest plots with medium density. Therefore, I consider that it is predominantly appropriate to assess the proposal within its immediate context, that of Rossley Close.
7. As I have highlighted above, there are a number of examples where bungalows have been altered and extended and this includes roof extensions, both through the raising and widening of ridge lines in order to provide first floor accommodation within the enlarged roof voids. I acknowledge that the proposal before me would increase the overall scale and bulk of the host dwelling, but in terms of street scene impacts in particular, it would not look out of place bearing in mind that the ridge line would match those of its immediate neighbours at nos 5 and 9.
8. I cannot agree that Rossley Close is characterised by predominantly single storey properties with consistent hipped roof forms, although materials do generally comprise plain tiles roofs over rendered walls with brick plinths. I accept that the proposed dwelling would be essentially two storey in form towards the rear, however views of this would be very oblique with the built form of the immediate neighbours largely screening this rearward projection; and overall would only be viewed from the private rear garden scene.

9. The Council refers to the increase in bulk and span eroding the characteristic spacing between properties. Whilst I acknowledge that the overall width of built form would increase, dwellings generally are already situated close to their respective boundaries and I have not been made aware of any specific policy requirement to maintain a specific gap, and ultimately each case must be assessed on its own merits.
10. Projecting front hipped gables are a characteristic of the street scene and whilst in the main these may be single storey, nonetheless the provision of a relatively modest dormer within it to match those proposed within the main roof would not appear unduly incongruous, especially when they are a narrower width than many others found within the Close. However, I fail to see the high degree of uniformity that is purported although the visualisations do assist in demonstrating how the appeal dwelling, as proposed to be extended, would sit in the street scene, in a manner which I consider to be harmonious. Finally, I note the reference to timber cladding to the first floor of the rear elevation, however this would be within the rear garden scene and I find it unobjectionable, giving rise to some interest to the overall design.
11. Therefore, on this issue I consider that the proposed development would harmonise with the established character of the environment of Rossley Close. The proposal complies with CS Policy HE2 and its criteria as previously referred to, as well as Policy HWNP11 of the Highcliffe and Walkford Neighbourhood Plan (2023) which seeks to reflect and enhance the area's local distinctiveness through the application of a number of guidelines, including that a degree of variation between individual streets and within the streets is generally encouraged to add human interest and allow good design to flourish.

Living Conditions

12. The proposed development would project beyond the existing rear elevations of both immediately adjacent properties and the increased scale of the proposals would be visible from both of them, however this projection would not be significant and I am satisfied that the outlook from these properties would be adequately maintained. I acknowledge the concerns raised by the third party with regard to overlooking and loss of privacy, although as noted in the Council's report, the rear facing bedroom windows would have a similar view into the neighbouring gardens as no 9 currently has from their rear facing dormer windows. Being within a residential area some degree of mutual overlooking is inevitable and I consider that any loss of privacy would not be substantial with the immediate rear sitting out areas of both nos 5 and 9 being protected from direct overlooking.
13. With regard to increased shading from the extension upon the main bedroom window of no 9, as has been demonstrated by the notional 45° line on Drawing No. 1206/P08, this would not be significant.
14. I therefore find on this matter that the proposed development, by reason of its increased scale and its proximity to neighbouring dwellings, would not give rise to a material loss of outlook to their occupants. Therefore, the proposal complies with CS Policy HE2 in that development will be permitted if it is compatible with its surroundings in terms of, amongst other things, relationship to nearby properties including minimising general disturbance to amenity.

Conclusion and Conditions

15. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.
16. 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 surfaces of the development match the existing building. I consider these necessary in the interests of the character and appearance of the area. Furthermore, whilst they have not requested that one be imposed, I have added the standard time limit condition for implementation of the planning permission.

C J Tivey

INSPECTOR