



Appeal Decision

Site visit made on 24 October 2023

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2023

Appeal Ref: APP/D1265/W/23/3319380

20 Frampton Road, Pimperne, Dorset DT11 8UU

- 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 Fish against the decision of Dorset Council.
 - The application Ref P/FUL/2022/06662, dated 26 October 2022, was refused by notice dated 16 December 2022.
 - The development proposed is to erect 1 no. dwelling (demolish garage) with a rear single storey extension and alterations to existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted to erect 1 No. dwelling (demolish garage) with a rear single storey extension and alterations to existing dwelling at 20 Frampton Road, Pimperne, Dorset, DT11 8UU in accordance with the terms of the application, Ref P/FUL/2022/06662, dated 26 October 2022, subject to the attached schedule of conditions.

Preliminary Matters

2. On 22 November 2023, Areas of Outstanding Natural Beauty were renamed National Landscapes. The appeal site is within the Cranborne Chase & West Wiltshire Downs National Landscape. As the planning policies relating to this landscape designation have not altered and the impact on the National Landscape does not form one of the Council's reasons for refusal, the parties have not been prejudiced by not being provided with the opportunity to comment on this particular matter.
3. The Council's third reason for refusal refers to the submitted plans appearing to show a detached dwelling being proposed and the application was therefore refused, in part, on the ground of a lack of clarity. However, I consider that the north-west elevation shows the side elevation of the existing dwelling, not the side of the proposed dwelling. As such, the plans are clear, and I shall determine the appeal accordingly.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - the effect of the proposed development on the living conditions of the occupiers of the neighbouring residential property, with particular regard to overbearing and loss of light.

Reasons

Character and appearance

5. No 20 Frampton Road is a detached bungalow on the end of a row of bungalows that have uniform design and plot layout. The proposal would see the enlargement of the existing building to form a separate residential unit.
6. There is a substantial hedge along the side boundary and part of the front boundary that abut the pavement. This feature results in the site not having the open plan layout seen on other corner plots around the residential estate. The planting also means that the development would only be partially visible when stood in front of the site and the higher parts of it would be visible from the side of the site.
7. The development would replicate the style and form of the existing dwelling. Moreover, it would be significantly narrower than the existing dwelling and consequently, have a much smaller footprint. Due to the screening and the design and scale of the proposal, the proposed development could easily be read as a typical subservient extension to the existing dwelling.
8. A fence would be constructed at the front of the site, a pedestrian access would be formed at the side of the site and a parking space would be created at the rear. However, these works would not necessarily result in the development being overtly noticeable as the formation of a separate dwelling. These can all be regarded as features added to the existing dwelling, even in combination.
9. I note the Council's concern regarding the confined nature of the site, but a single dwelling at the scale shown on the submitted plans is considered to be accommodatable within the space available without appearing as cramped.
10. For these reasons, the proposed development would not cause material harm to the character and appearance of the area. Consequently, the proposal complies with Policies 4, 7 and 24 of the North Dorset Local Plan Part 1 2011 – 2031 (LP) and Policy MHN of the Pimperne Neighbourhood Plan 2016 – 2031, which collectively seek, in part, for development to improve the character and quality of an area and resist inappropriate development of residential gardens. Additionally, the proposal does not conflict with the Framework, which seeks for development to be visually attractive as a result of good layout, and be sympathetic to local character, including the surrounding built environment.

Living conditions

11. The proposed development includes a new rear extension on the existing building, which would be internally split between the existing and proposed dwellings. It would not extend past the rear elevation of the existing building by a significant amount. Furthermore, in the context of the existing closeness of properties to each other, it would be constructed a relatively substantial distance from the boundaries of the site with the neighbouring properties, No 18 Frampton Road and No 19 Walters Drive. It would not be overbearing when viewed from the gardens of the neighbouring properties, nor would it visually dominate those garden spaces or cause a harmful loss of light.
12. A new decking would be constructed at the rear of the existing building and a 1.8 screen would be installed on the decking to afford privacy to the occupiers of No 18. In my judgement, this would be a relatively small scale part of the

development proposed and it would be sited a sufficient distance from the boundary with No 18 whereby its small scale means that it would not be seen as an oppressive feature over the existing tall fenced boundary between the two properties. As such, the screen would also not be overbearing or lead to a harmful loss of light to the dwelling or garden at No 18.

13. In terms of the impact on the existing dwelling, No 20 Frampton Road, as the proposed rear extension would be shared, an acceptable outlook from the open plan living area would be maintained for the occupiers of No 20. The privacy screen on the decking between the existing and proposed properties would project from the rear extension by a small amount and its height would still allow a sufficient level of light to enter the window on No 20's side of the rear extension.
14. For these reasons, the proposed development would not cause harm to the living conditions of the occupiers of neighbouring properties. Consequently, the proposal complies with Policies 24 and 25 of the LP, which collectively seek, in part, to prevent harm to living conditions resulting from overbearing, loss of privacy and loss of light. Additionally, the proposal complies with the Framework, which seeks, in part, to ensure that there is a high standard of amenity for existing users of development.

Conditions

15. I consider that the standard time limit condition and a condition listing the approved plans are necessary for the avoidance of doubt and in the interests of proper planning.
16. I have included the Council's suggested condition relating to external materials as it is necessary to conserve the character and appearance of the area. The conditions relating to the parking area are considered to be necessary to ensure that the parking area has suitable surface water drainage and surfacing in the interests of highway safety. However, I have amalgamated the two conditions into a single condition and altered the wording in the interests of preciseness. Additionally, I have also included the Council's suggested condition relating to the installation of a bird nest box as it is necessary to protect biodiversity. However, I have also amended the wording of this condition in the interests of preciseness.
17. An additional condition is also included that requires the developer to agree details of the privacy screens with the Council and install them prior to first occupation of the new dwelling. This condition is necessary to ensure that the privacy of the occupiers of No 18 Frampton Road and the existing dwelling, No 20 Frampton Road, are protected.

Conclusion

18. For the above reasons, and having regard to other matters raised, the proposed development complies with the development plan, when taken as a whole. Accordingly, I conclude that the appeal should be allowed.

K Reeves

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: Proposed Elevations (drawing number 1151/PLAN/02b), Proposed Floor & Roof Plans (drawing number 1151/PLAN/04b) and Site Plan (drawing number 1151/PLAN/06b Rev 1).
- 3) The external surfaces of the development hereby permitted shall be constructed in materials to match the materials of the external surfaces of the existing dwelling.
- 4) The dwelling hereby permitted shall not be occupied until the parking area shown on drawing number 1151/PLAN/06b Rev 1 has been drained and surfaced in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority, and that area shall thereafter be kept available at all times for the parking of vehicles.
- 5) The dwelling hereby permitted shall not be occupied until the privacy screens shown on drawing number 1151/PLAN/02b have been installed in accordance with details of the position, height and materials of the screens that shall first have been submitted to, and approved in writing by, the Local Planning Authority, and they shall be retained as such thereafter.
- 6) The dwelling hereby permitted shall not be occupied until 1 no. bird nest box has been installed in accordance with the details on Page 12 of the submitted Preliminary Roost Appraisal Report dated 24 February 2022.