
Appeal Decision

Site visit made on 7 March 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 April 2024.

Appeal Ref: APP/V1260/D/24/3336521
8 Wickfield Avenue, Christchurch, BH23 1JB

- 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 Paul Downey against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 8/23/0614/HOU, dated 23 August 2023, was refused by notice dated 20 October 2023.
 - The development proposed is single storey side extension. Double storey rear extension. New loft conversion to provide second floor accommodation formed under raised ridge height with the addition of two small dormer windows to the front. Formation of enclosed, inset balcony to the rear. General uplift of elevations and dark grey aluminium or UPVC windows/ doors throughout.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The appellant has made me aware of planning permissions granted since undertaking my site visit in respect of the appeal property¹ and 12 Wickfield Avenue². These decisions, together with other aspects of the planning history, are material to my considerations.

Main issues

3. The main issues are the effect of the development on: (i) the character and appearance of the host property and its surroundings, and (ii) the living conditions of those residents of properties in Wickfield Close backing onto the appeal site with particular reference to privacy and intrusion.

Reasons

Character and appearance

4. The 'L' shaped Wickfield Avenue has two distinct arms. The appeal property is set in that part where both frontages are comprised of two storey, detached, substantial dwellings. The dwellings are of varied design and materials and some have been modernised, extended and altered, including modifications to roofs.

¹ Ref 8/23/0923/HOU dated 15 March 2024

² Ref 8/23/0848/HOU dated 15 March 2024

5. The appellant proposes raising the roof and increasing its mass to accommodate additional living space. The ridge would disappear to be replaced by a crowned roof form. A long dormer would be installed to the rear, and two smaller dormers at the front. Extensions are proposed to the rear and side, and a flat roofed form of canopy introduced at the front.
6. Given the variety of roof designs in this part of the Avenue, I do not consider that the proposed roof form would look out of place. However, all other front roofs in this part of the Avenue, with one exception, which has rooflights, are plain and harmonize well with one another. The introduction of front dormers in the manner proposed would thus, in my opinion, prove incongruous and visually harmful in its immediate context.
7. At the side and rear, I consider the extensions proposed to be in scale and acceptable and the rear roof dormer should not cause visual offence given its relative sheltered location. I have no objection to the proposed addition of the front canopy at ground floor level, which would be perceived as a decoration of modern appearance.
8. Accordingly, I find for the most part, that the extensions and alterations proposed would be acceptable, fitting in harmoniously into the street scene. However, the same could not be said of the front dormers, which in my view, would cause visual harm. I saw the dormers referred to by the appellant on a chalet bungalow around the corner, but that part of Wickfield Avenue has significantly different design characteristics to the part in which the appeal property is situated. I also note that the dormers originally proposed for the recently permitted 12 Wickfield Avenue development were removed from the finally approved scheme.
9. I therefore conclude that the proposed development would harm the character and appearance of the host property and the surrounding area. Accordingly, a conflict arises with those provisions of Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy (2014) to be compatible with or improve its surroundings and Policy H12 of the Christchurch Local Plan (2001) requiring extensions to residential dwellings to be appropriate in terms of design to the immediate locality.

Living conditions

10. A substantial single storey rear extension is proposed, and the appellant intends that its entire flat roof would be used as a terrace. The roof terrace would be accessible not only from a first floor bedroom, but also from the rear garden by means of a spiral staircase. The appellant points to what is regarded as a precedent, at No 10, but that is far more modest in size and accessible only from the first floor. It is also well screened by frosted glazing.
11. I noticed the recently planted pleached trees on the side and rear boundaries, planted with a view to protecting neighbouring privacy. These in time would provide a degree of screening to neighbours alongside and in Wickfield Close, but in my experience, pleached trees are not always totally effective in providing a high level of screening on a permanent basis.
12. To my mind, the residents of No 4 Wickfield Close in particular would be at greatest risk of losing their privacy if this part of the proposals proceeded. Moreover, the size of the roof terrace would be such that it could accommodate

many people at the same time, including possibly at social events and gatherings with access possible directly from the garden. I have little doubt that the creation of a roof terrace of this size would potentially cause harm to neighbouring residents not only by reason of overlooking and loss of privacy, but by the intrusion caused by the activities of a gathering of people at a relatively elevated level in the open air within what is, at present, a tranquil residential area.

13. I conclude therefore that the proposed roof terrace would result in a material diminution in the living conditions currently enjoyed by neighbouring residents, particularly the residents of No 4 Wickfield Close. Accordingly, I find a clear conflict with those provisions of Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy (2014) requiring development to be compatible with or improve its relationship to nearby properties including minimising general disturbance to amenity and Policy H12 of the Christchurch Local Plan (2001) requiring the design of extensions not to adversely affect the amenities of existing and future occupiers of dwellings.

Other matters

14. All other matters referred to in the representations have been considered, including the references to other development plan policies. I have taken account of the planning history and correspondence exchanged between the principal parties. I have also taken account of the references to national policy and the representations of neighbours.
15. I note the privacy concerns raised by neighbours in respect of the proposed rear dormer, but I consider that the structure is sufficiently distant from the properties in Wickfield Close not to cause harmful overlooking. The development subject of the recent planning permission granted by the Council included a rear dormer, albeit smaller than the one proposed here. The Council in that case took a similar view to mine on the overlooking issue.
16. The most recent planning permission granted by the Council included a proposal for a balcony. But this is substantially reduced in size in comparison with that before me and is accessible only from the main bedroom on the first floor. It is thus clearly distinguishable from the original proposal subject of appeal.
17. In the light of my conclusions and having regard to the Council's recent grant of planning permission in respect of the appeal property, I have considered the possibility of a split decision and/or imposing a condition in respect of the dormers and the balcony design. However, I do not consider the development to be severable, and that conditions relating to design changes could be regarded as unreasonable or unlawful since it would, in effect, alter the nature of the development applied for.
18. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR