



Appeal Decision

Site visit made on 18 July 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7TH August 2024

Appeal Ref: APP/V1260/D/24/3344246

14 West View Road, Christchurch, Dorset, BH23 3HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr J Roach against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 8/24/0057/HOU.
 - The development proposed is the creation of rooms in roof with dormer windows.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the date of the appeal the Council has issued a Certificate of Lawful Development (Ref 8/24/0314/CLP) dated 12 July 2024 for development described as '*Formation of side dormers and rear gable*'. I have been provided with a copy of the decision notice and relevant plans.

Main Issues

3. The main issues are the effects of the proposal upon: -
 - the character and appearance of the area, and
 - the living conditions of neighbouring occupiers, particularly at 12 West View Road with regard to visual impact, daylight, and privacy, and at 1 Pauntley Road with regard to privacy.

Reasons

Character and Appearance

4. West View Road is a short residential street comprising a mix of detached and semi-detached two-storey houses and detached bungalows. No 14 sits on the east side of the road amongst a row of four bungalows (Nos 10-16 even) with narrow front elevations and roof ridge lines running front to back. The proposal is to create living accommodation at first-floor with hip to gable changes front and rear, but with a small, cropped element to each, and dormer windows to both side roof slopes.
5. I recognise that there is a significant mix of building types in the locality of the appeal site, including many original bungalows that have been altered and

extended in a variety of ways, including hip to gable changes. However, in my assessment the appeal property is part of a distinctive group of dwellings that make an important contribution to the established character of West View Road. Their hipped roofs to the front maintain a consistent alignment with each other and are reflective of the uniform hipped roof profiles that are present on the significant majority of properties along the full length of both sides of the road. I noted a single exception at 1 West View Road. This two-storey dwelling displays a full height forward facing gable but is the exception rather than the norm. Moreover, it sits more isolated than others being at one extreme end of the road, on a corner plot, and opposite a large greensward at the junction with Mudeford Lane. It takes its cues more from the mixed architectural character of the area's wider surroundings rather than from the more intimate setting of West View Road.

6. The appeal proposal would significantly change the appearance of the existing building with the modifications showing little respect for the dwelling's original hipped roof form. The forwards projection at first-floor/roof level would stand noticeably proud and dominant in relation to the neighbouring recessed roof slopes, appearing out of keeping with the established pattern of development within the street scene. Its incongruous presence would be exaggerated by the size and position of both dormer windows. These would span the majority depth of the building, significantly larger than other examples in the area including at both neighbouring properties, with each dependent upon the extended roof to the front and rear to accommodate their excessive widths. Their positions beyond the front plane of the original roof would expose each to clear view in the vista along West View Road in both directions, adding overall to an intrusive and jarring change that would be disruptive to the harmony of the street scene.

Living Conditions

7. No 12 West View Road is to the north side of the appeal property and has a deep footprint. It sits tight to the side boundary with No 10 and close to the opposing side boundary with No 14, separated from it by the width of a narrow pedestrian access. As a consequence, the ground floor living spaces within No 12 are reliant, in part, upon the windows along its flank elevation facing towards No 14 for some degree of outlook and light.
8. The proposed dormer to the north side elevation of the appeal property would project a mass of new building at first-floor level towards No 12 beyond the plane of the existing roof. This would present itself at close quarters in the outlook from internal living spaces at No 12 as a visually dominant and overbearing wall of building that would show little respect for the degree of separation the neighbour may expect given the specific property types along this part of West View Road. The proximity of the new building would not only be visually harmful but would also be likely to diminish levels of light to parts of the neighbour's internal living spaces.
9. The windows to the side dormers are all proposed to be fitted with obscure glass. Had I been minded to allow the appeal I am satisfied that this could have been controlled by condition, along with restrictions upon the height of any openings. This would avoid any direct outlook towards both neighbouring properties.

10. A bedroom window is proposed in the apex of the rear cropped gable. Any oblique outlook to both neighbouring properties at Nos 12 and 16 would be directed towards the bottom ends of their gardens. This would reflect a typical residential environment where some degree of overlooking from first-floor windows, including from those two-storey dwellings along West View Road, is inevitable. I am not persuaded that the levels of privacy at either of these properties would be affected to any significant degree.
11. The rear garden to the appeal property measures around 9.5m according to an undisputed figure provided by the appellant. It backs on to the rear garden of a bungalow at 1 Pauntley Road, with a similar length garden. No 1 has extended into its roof space and has a first-floor window in its rear gable facing back towards the appeal property. I observed during my visit that the window is obscurely glazed and offers no outlook.
12. The new rear facing window to No 14 would offer sight directly towards the rear garden and rear facing elevation of No 1. The separation distances involved reflect the single-storey proportions of the original dwellings and are not excessive. The introduction of a first-floor window would have the potential to impact the levels of privacy currently enjoyed at No 1, especially by overlooking the amenity area nearest to the property's rear elevation, a space usually considered to be the most private in a garden setting.
13. Overall, for the reasons given, I find that the proposal would be harmful to the living conditions at 12 West View Road in terms of visual impact and daylight, and upon the living conditions at 1 Pauntley Road in terms of privacy.

Other Matters

14. The appellant has demonstrated a clear 'fallback' position in the event of this appeal failing. I have no reason to doubt that the scheme which has been demonstrated to be permitted development by the recently issued Certificate of Lawful Development would have a high prospect of being built in order to meet the appellant's family's needs. The rear parts of the permitted scheme and the appeal proposal would be similar, particularly to the side facing No 12, but overall, the schemes are significantly different.
15. The permitted scheme would leave the front roof slope untouched with the dormers kept back from the front part of the dwelling and smaller in size, considerably so to the south side. A bedroom window could be inserted within the apex of a new rear facing gable and I accept that this would have the same impact upon the living conditions at 1 Pauntley Road as the appeal proposal. I also accept that the permitted dormer facing No 12 would have some impact upon outlook and light to this neighbouring property. These factors carry some weight in the overall balance of my decision. However, due to the significant differences between both proposals, the weight I attach to the appellant's fallback option is insufficient to outweigh the harms that I have identified.

Conclusions

16. I have found that the appeal proposal would be harmful to the character and appearance of the local area, and to the living conditions of neighbouring occupiers. The failure of the proposal to respect the established character of the area, or the amenities of existing and future occupiers of adjacent dwellings, means there would be conflict with the requirements of Policy HE2 of

the Christchurch and East Dorset Local Plan Part 1- Core Strategy 2014, and Policy H12 of the Borough of Christchurch Local Plan 2001. By failing to be sympathetic to local character or to achieve a high standard of amenity for existing and future users there would also be conflict with the National Planning Policy Framework's objectives for achieving well-designed and beautiful places. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR