



Appeal Decision

Site visit made on 10 December 2024

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 January 2025

Appeal Ref: APP/V1260/W/24/3348568

42 Beaufort Road, Bournemouth BH6 5AN

- 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 Stuart Ward against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 7-2024-14575-C.
 - The development proposed is erection of extension to first floor flat over existing ground floor extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. Whilst paragraph numbers have altered, any policies that are material to this decision have not fundamentally changed. I am satisfied that this has not prejudiced any party and I have had regard to the latest version in reaching my decision.

Background and Main Issues

3. It is clear from the Council's Delegated Report and Statement of Case that the Decision Notice contains an error in the fourth paragraph where it refers to No.42 Beaufort Road rather than No.44. As the appellant has provided comments in relation to this, I am satisfied that no party would be prejudiced if I deal with the appeal on this basis.
4. In light of the above, the main issues are the effect of the proposal:
 - on the living conditions of neighbouring occupiers at No's 40, No.42 (Flat 2) and No.44 Beaufort Road with particular regard to privacy, light, outlook, noise and disturbance; and,
 - on the character and appearance of the area.

Reasons

Living conditions

No.40 Beaufort Road

5. The existing single-storey rear extension to No.42 Beaufort Road (No.42) extends a considerable distance off the rear elevation of the original building. It also extends

out beyond the side elevation of No.42 such that it is positioned in close proximity to the side boundary and rear garden to No.40 Beaufort Road (No.40).

6. There is no dispute between the main parties that given the presence of the existing ground floor extension to No.42, the proposal would not harm the living conditions of the occupiers of No.40 when viewed out of the nearest ground floor window. I have no reason to disagree.
7. However, by reason of the addition of the proposed upper floor in close proximity to the rear garden to No.40, and despite the hipped roof and use of a dormer window seeking to reduce the bulk of the extension, it would nonetheless present a tall and long elevation to the garden to No.40. By reason of the close relationship to the side boundary, depth of projection to the rear of No's 40 and 42, and its overall height, the extension would be unduly visually prominent and overbearing when viewed from the rear garden of No.40.
8. The appellant advises that the two windows in the roof at first floor level proposed in the South West side elevation would be high level. Although this is not clearly demonstrated on the proposed plans, the windows could be conditioned to be at least 1.75m above finished floor level. Subject to this, and subject to the windows being conditioned to be obscure glazed and fixed shut to avoid any harmful upward looking towards the rear of No.40, the proposal would not result in a harmful level of overlooking. Furthermore, given the position of existing windows and openings in the side and rear of No.42 Beaufort Road at first floor level and subject to the same conditions, the proposal would not result in any additional harmful perception of overlooking to the occupiers of No.40.

No.44 Beaufort Road

9. The rear of No.44 Beaufort Road (No.44) benefits from single storey glazed conservatory type extensions that cut across the upper half of a ground floor rear opening to the building. These extensions have partly transparent roofing materials.
10. By reason of a combination of the depth and height of the proposed first floor extension, the 45 degree lines outlined in Section 3 of the Residential extensions: A Design Guide for Householders September 2008 (SPG) would be breached. In light of this, and by reason of the depth of projection and height of the proposed extension, it would have a prominent and overbearing impact upon the outlook from the rear ground floor and rear garden of No.44.
11. Furthermore, by reason of the depth of projection, height of the proposed extension and position to the south-west of No.44, it would result in overshadowing and detrimental loss of light to the rear of No.44 from early afternoon onwards.

Flat 2 at No.42 Beaufort Road

12. The proposal would result in part of the lounge/dining room serving the 3-bedroom flat forming the appeal property oversailing the only bedroom to the ground floor flat at No.42 Beaufort Road (Flat 2).
13. I have had regard to the concerns raised with respect to the potential for noise and disturbance from the use of the lounge on the bedroom to Flat 2. Nonetheless, if I were to allow the appeal, I see no reason why a condition could not be imposed to ensure the provision of suitable noise insulation between floors. This would adequately ensure that noise transfer does not harm the living conditions of the

occupiers of Flat 2 in accordance with LP Policies CS38 and CS4, the SPG and the Framework.

Conclusion on this main issue

14. I have found above that the proposal, subject to conditions, would not harm the outlook from within No.40, or harm the living conditions of occupiers of Flat 2 at No.42. Nonetheless, the proposal would harm the living conditions of neighbouring occupiers from the rear garden to No.40 Beaufort Road with particular regard to outlook and to No.44 Beaufort Road with particular regard to outlook, overshadowing and loss of light. As such, the proposal is contrary to LP Policy CS41 and the SPG. Amongst other things, these seek to ensure that development enhances the amenities of neighbouring residents and that proposals should not have an adverse effect on the living conditions or the amenity of neighbouring residents. For the same reasons the proposal in this regard would be contrary to the Framework that requires a high standard of amenity for existing and future users.

Character and appearance

15. The appeal property comprises a two-storey dwelling with access down the side. The properties in the area comprise traditional buildings with pitched roofs and detailing of their period.
16. Views down the access from Beaufort Road are towards the existing single-storey rear extension that projects beyond the side of No.42 Beaufort Road. Given its single-storey nature and distance from the road, the existing extension appears subservient to the host building and is not highly prominent.
17. By reason of the set back from the road, continuation of the roof pitch to the main dwelling and use of matching materials, the proposal would remain subservient in appearance from Beaufort Road and as a result would not harm this street scene.
18. From Paisley Road, there are views of the rear elevations of the pair of semi-detached properties forming No's 42 and 44. There are though only limited glimpsed views of their existing rear extensions due to their single-storey nature and intervening boundary treatment and planting.
19. However, the proposed first floor extension would be visible from Paisley Road above the existing boundary wall and between and through existing planting. By reason of its depth of projection, height, part flat-roof and gabled form and inclusion of the wide flat roofed dormer, the proposal would not reflect the more simple and traditional roof form to the semi-detached pair and wider area. As such and given that it would be more visible than the single-storey rear extensions, the design fails to reflect or re-enforce the character of the host building, would unbalance the pair of semi-detached properties, and would appear as a contrived and alien extension at odds with the prevailing character and appearance of the area.
20. Furthermore, the proposed extension would be highly visible from the rear gardens of No's 40 and 44 Beaufort Road, would be more prominent than the existing ground floor extension to No.42, and appear similarly out of character.
21. The proposal would therefore be contrary to Sections 3.1 and 3.3 of the SPD. These state that flat roofed additions are normally only appropriate for single storey

extensions and that dormers with a horizontal emphasis and flat roofs should be avoided with the window pattern determined by the elevation of the house.

22. As the proposed extension would be viewed in isolation from the existing ground floor extension from Paisley Road, the design and appearance of the existing extension does not justify or reduce the harm from the proposal.
23. In conclusion, the proposal would harm the character and appearance of the area. As such, it is contrary to LP Policy CS41 and the SPG. Amongst other things, these seek to ensure that all developments are well designed and of a high quality and designed to respect the site and its surroundings and contribute positively to the appearance of the public realm. For the same reasons the proposal in this regard would be contrary to the Framework that seeks to achieve well-designed places.

Conclusion

24. For the reasons given above the appeal should be dismissed.

C Rose

INSPECTOR