



Appeal Decision

Site visit made on 19 December 2024

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 January 2025

Appeal Ref: APP/D1265/D/24/3348296

Badgers Leap, Burbidge Close, Lytchett Matravers, Poole, BH16 6EG

- 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 and Mrs G Dean against the decision of Dorset Council.
 - The application Ref is P/HOU/2024/01250.
 - The development proposed is the erection of a first-floor side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the living conditions at Long View, with particular regard to visual impact, daylight, and sunlight.

Reasons

3. The appeal property is a detached, two-storey dwelling forming part of a group aligned in a row at the terminal end of Burbidge Close, a residential cul-de-sac. Long View is a detached, chalet-style bungalow to the north side of the appeal property. Badgers Leap has a first-floor side wing projecting towards Long View over a wider and much deeper ground-floor footprint to this side which accommodates a double-width garage to the front and kitchen area to the rear. The dwelling is separated from the side boundary with Long View by the width of a side pedestrian access. The proposal is to extend the first-floor wing rearwards, over the existing kitchen.
4. The juxtaposition of Badgers Leap with Long View is unconventional. The main chalet part of Long View sits forward of Badgers Leap with a single-storey limb projecting deep towards its northern boundary and set away from the appeal site. More significantly, Long View has a skewed setting, with its rear elevation angled facing slightly towards the straight aligned side boundary shared with Badgers Leap, and with its nearest rear corner almost touching the boundary when measured at a single-pinch point.
5. Considering the size and scale of both properties, together with the position and orientation of Long View, I found their immediate relationship to be unusually tight, verging on awkward. There is an existing first-floor set of patio doors leading to a small balcony to the rear of Long View and set very close to the boundary with the appeal site. I note from information provided to me by the appellants that this

serves a bedroom. With this in mind, there is a delicate balance between the various existing staggered elements of these two dwellings. This achieves a reasonable mutual neighbourly respect including avoidance of any sense of overbearing from Badgers Leap in the outlook from the adjoining bedroom at Long View.

6. By extending the first-floor side wing at Badgers Leap rearwards, there would be a significant change to the current arrangement. I accept that the new addition would be set away from the boundary with Long View, but because of the orientation of this neighbouring property, the benefit of this would be somewhat tempered. The outlook from the nearest rear first-floor opening at Long View would be angled towards a much deeper first-floor flank wall with an addition that would add considerable bulk and mass and which would be seen at fairly close quarters. Despite there being a wider outlook that would be unaffected, the result in my judgement would be an impact that would be visually dominant and imposing, creating an overbearing effect that would detract from the neighbours' enjoyment of their balcony and first-floor living space.
7. I am not persuaded by any substantive evidence that levels of daylight within Long View would be unacceptably affected, or that any significant parts of its rear garden would become overshadowed. However, at the time of my mid-morning visit, I saw the balcony was hit with direct sunlight from over the single-storey part of the appeal property. This would be blocked to some degree by the proposed extension, adding to my concern.
8. I note that Long View has windows to the side of its single-storey limb which face the appeal site. These are sufficiently distant so as to be unaffected by the proposed addition.
9. I have noted there are extant planning permissions for extensions and alterations to Long View but these do not alter my findings with regard to the effect of the appeal proposal upon the neighbours' existing living conditions.

Conclusion

10. For the reasons given, due to the size, siting, and proximity of the extension to the boundary with Long View, I find that the proposal would be harmful to the neighbours' living conditions. The adverse impact of the proposal on the neighbours' amenity means that there would be conflict with Policy D of the Purbeck Local Plan Part 1, adopted in 2012 and Policy E12 of the emerging Purbeck Local Plan (2018-2034), which I note to be at an advanced stage of preparation. Accordingly, the appeal is dismissed.

John D Allan

INSPECTOR