



Appeal Decision

Site visit made on 10 February 2025

by **Megan Thomas K.C.** Barrister-at-Law

an Inspector appointed by the Secretary of State

Decision date: 26 February 2025

Appeal Ref: APP/V1260/D/24/3355884

13 Mayfield Avenue, Poole BH14 9NY

- 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 Tristan Roberts against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref. is APP/24/00759/F.
 - The development proposed is a single storey rear extension and a two storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant's description of the proposed development on the planning application form was long and detailed. I have taken account of that description. The description on the Notice of Decision was "single storey rear extension and two storey front extension". I consider that latter description is not entirely satisfactory because the proposed two storey extension is not in front of the front elevation of the property and is more accurately described as a two storey side extension. I have used the latter description in the box heading above. The appeal has been determined on the submitted plans and no-one is prejudiced by the change in description of development.
3. The Council refused planning permission on, amongst other things, the lack of sufficient information about the impact of the proposed development on biodiversity and potential protected species using the site. The appellant commissioned a study to deal with those matters after the refusal of planning permission and submitted it with their appeal. There is at least one third party interested in the appeal. As this is a householder appeal, the notification to a neighbour who has submitted comments at planning application stage is typically informed by letter that "there is no opportunity for you to submit comments". This was the case with the third party here. Thus, even if the study was posted on the Council's website once it was received during the appeal process, the neighbour has had no opportunity to submit comments on it and I consider that there would therefore be substantial prejudice in taking it into account in these circumstances. I have therefore treated it as not before me as part of the evidence.

Main Issues

4. The main issues in the appeal are the effect of the proposal on the character and appearance of the host dwelling and surrounding area, the effect of the proposal on the living conditions of the occupants of no.15 Mayfield Avenue in relation to light and outlook, and whether there is

sufficient information on which to assess the impact of the proposal on protected species or biodiversity interest within the site.

Reasons

Character & appearance

5. The appeal dwelling is situated on the eastern side of Mayfield Avenue and is a two storey detached house with space at the front where it steps back from the road and a rear garden. It has a hipped roof form with a projecting gable end to the front elevation with bay windows and a single storey garage with an integrated sloping roof on its southern (flank) elevation. This is set comfortably back from the main front elevation. The house has a staggered single storey extension to the rear.
6. The surrounding character of the area is residential, comprising detached houses of varying architectural form and materials. Some have been extended including two storey side extensions. The appeal site sits in a row of similar houses (nos 7, 9, 11, 13 and 15). These houses, whilst orientated parallel to each other, have a stepped building line reflecting the curve and topography of the street at this point.
7. The proposed development includes the demolition of the existing single storey attached garage, the erection of a two-storey side (flank) elevation, and the replacement of the existing rear extension with a larger single storey extension. The proposed development also seeks planning permission for replacement of the existing rear extension with a larger single storey rear extension. The proposed rear extension would measure approximately 6.7m in width, 2.6m in depth when measured from the main rear elevation of the existing dwelling and would be approximately 3.0m to the eaves level. It would have a flat roof and aluminium fenestration. The proposed two storey side extension would measure approximately 2.2m in width, 5.5m in depth and would be approximately 6.4m to the eaves level. It would have a hipped roof form and would join the existing roof form. It would have an overall height of approximately 9.5m.
8. In the row of similar houses of which the appeal site is one, notwithstanding their curving siting and differing ground levels, there is clear spacing at first floor level and above, which creates a harmonious rhythm between them and allows a view between the houses from the Avenue and an ability to appreciate their particular style and form.
9. This is reinforced by the space at first floor level between no.13 and no.15 and by the existing garage being situated comfortably back and well screened from many views of the front elevation of no.13. These factors create a sense of openness around the property. The erection of the proposed two storey side extension would unduly disrupt the rhythm and would cut down openness to the detriment of the streetscene.
10. Furthermore, given the proximity of the proposed two storey flank wall to no.11 Mayfield Avenue, I consider that the proposed two storey addition would result in an overdeveloped appearance of the plot where the dwelling would look cramped within its setting. The appellant highlights other plot widths and other house widths, which I have scrutinised, but I have judged this scheme on its own particular merits.
11. Mayfield Avenue consists of predominantly large detached dwellinghouses that have been extended, altered or retain their original property size and scale. However, these properties also generally retain key design features such as hipped roof forms with projecting front gables, bay windows and extensions that are set back from or in front of the principal elevation by varying degrees. As described above, the proposed two storey extension would be located to the southern elevation and would form part of the principal elevation. The resulting additional bulk and massing to the side of the existing dwelling would be more prominent and

dominant within the streetscene and would not reflect the prevailing pattern of development, which is characterised by extensions that are generally distinguishable from their principal elevation. This would harm the character of the host dwelling itself and the streetscene.

12. On this issue I conclude that the proposal would unduly harm the character and appearance of the host dwelling and surrounding area. It would be contrary to policy PP27 of the Poole Local Plan (adopted November 2018) 'LP'.

Living conditions of occupants of 15 Mayfield Avenue

13. My site visit confirmed the following matters. There are four windows on the north flank elevation of 15 Mayfield Avenue. At ground floor level there is a kitchen window and a small obscurely glazed window. At first floor level, there is large window which sits just under the eaves which serves a landing and staircase, and an obscurely glazed window which serves a bathroom. The kitchen is served by a glazed door and two additional windows which face east to the rear garden. The proposal would cause a loss of light to the flank kitchen window but given its other sources of light I do not consider that the loss would be sufficient to warrant refusal on the kitchen light issue. However, whilst the staircase/landing window does not serve a habitable room, the interior space would nevertheless lose daylight to a level I consider would be unreasonable given that it is already a north-facing window, and the aspect from it would be onto the new flank wall of the development which I consider would create an unacceptable sense of enclosure when using the interior space it serves. There are no windows proposed in the new southern flank elevation and, given the orientations and building lines of the two houses, I am satisfied that there would be no interference with the privacy of the occupants of no.15 Mayfield Avenue from the proposal.
14. On this issue, I conclude that the occupants of no.15 Mayfield Avenue would experience an unacceptable loss of light and outlook to/from the large first floor north flank window. This would be contrary to policy PP27(1)(c) of the LP.

Impact on Biodiversity and Potential Protected Species

15. I have explained in the Procedural Matters section above, that I have not treated the appellants Preliminary Roost Assessment & Nesting Birds Report (18 October 2024) as evidence before me. There is insufficient information before me to assess these matters or to conclude that harm to protected species or biodiversity interest within the site can be avoided, with or without the use of potential mitigation measures. As such the proposed scheme is contrary to the provisions of policy PP33 of the LP which seek to ensure that proposals which might affect biodiversity adversely are appraised or mitigated.

Conclusion

16. In coming to my conclusions above, I have borne in mind the benefits that would flow from the proposed development, including in particular the increased sustainability and energy-saving benefits from a renovated house and the additional living space provided for occupants and future occupants. However, none of the benefits, taken together, outweigh the harms I have identified above.
17. Having considered all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas K.C.
Inspector