



Appeal Decision

Site visit made on 27 March 2025

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 April 2025

Appeal Ref: APP/V1260/D/24/3351795

2 Watermead, Willow Way, Christchurch BH23 1JJ

- 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 K Slater against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 8/24/0294/HOU.
 - The development proposed is Construction of first floor mono-pitched extension incorporating sedum roof and first floor rear balcony area.
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Decision

1. The appeal is allowed and planning permission is granted for Construction of first floor mono-pitched extension incorporating sedum roof and first floor rear balcony area at 2 Watermead, Willow Way, Christchurch BH23 1JJ in accordance with the terms of the application, Ref 8/24/0294/HOU, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 101(Existing and Proposed Site Plan), 102 (Existing Plans), 103 (Proposed Plans), 104 (Existing and Proposed Elevations), 105 (Existing and Proposed Elevations) and 106 (Existing and Proposed Elevations).
 - 3) Prior to commencement of development, a plan showing the siting, length and design of an obscure glazed screen of at least 1.8 metres high to be sited along the eastern side of the balcony, shall be submitted to and agreed in writing with the local planning authority. The screen shall be erected in accordance with the approved details prior to the commencement of use of the balcony and shall subsequently be maintained in accordance with these approved details.
 - 4) Prior to commencement of development, details of the sedum roofs, to include species type and proposed maintenance schedule, shall be submitted to and agreed in writing with the local planning authority. The sedum roof shall be carried out and thereafter maintained in accordance with the approved details and the agreed maintenance schedule.

Applications for costs

2. An application for costs was made by K Slater against Bournemouth Christchurch and Poole Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The main parties have set out the relevant planning history related to the site, which includes a previous appeal decision¹. This earlier appeal decision related to the erection of a first floor extension and was dismissed. I have had regard to this appeal decision insofar as it is relevant to the development before me now.
4. Since the appeal was made, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. I have taken the revised Framework into account as part of the determination of this appeal.

Main Issue

5. The main issue is the effect of the proposal on the living conditions of the occupants of 5 Watermead, with particular regard to outlook.

Reasons

6. The appeal property, 2 Watermead, consists of a detached single storey flat roofed dwelling of a contemporary design, situated in the small residential estate known as Watermead. The design of the existing dwellings is of a modern, modular block design, with large expanses of flat roof of varying different sections and heights. A flat roof car port extends out towards the north of the appeal property, towards the neighbouring property of 5 Watermead.
7. No 5 is a detached 2 storey dwelling. The layout of the dwelling is such that there is a bedroom window situated on the ground floor and a first floor living room, served by one window and a pair of French doors, leading out on to a small balcony, all of which would face south, looking towards the appeal proposal. I note that the Council refers to another amenity area associated with No 5. However, my site visit confirmed that the amenity space at ground floor was more of a gravelled area, leading to the bin store and garden shed. Consequently, the first floor balcony is the primary private outdoor amenity area associated with No 5.
8. When viewed from the balcony, as confirmed by my site visit, the existing extensive areas of flat roof are highly visible. The existing carport is seen as particularly close to No 5. Therefore, I agree with the findings of the earlier Inspector who found that the eaves and fascia sections of the contemporary design of the appeal buildings 'have an assertive and prominent design'. The slightly raised slab height and consequently, a slightly raised finished floor level, when compared to the surrounding land levels, was also noted.
9. Nevertheless, the existing outlook from No 5, in particular from the living room and the balcony, is of the built form of No 2 and the surrounding neighbouring properties, including both bungalows and 2 storey dwellings, which are seen against the backdrop of the trees which run along the River Stour, which lies to the south. As submitted by the Council, loss of outlook occurs when development would have an adverse overbearing effect resulting in an oppressive living environment for existing and future residents.
10. The proposal would be visible from No 5 within the direct line of sight from both the living room and balcony. However, the design now consists of a mono-pitched roof, reducing the height of the extension closest to No 5 by approximately 1 metre from

¹ APP/V1260/D/22/3309706 Decision Date 14 June 2023

that of the earlier appeal proposal. The floorplan to the west has been reduced by approximately 40cm and the northern side of the extension would be a fully curved elevation. When the considered design is seen in combination with the distance of the proposal from No 5, which the appellant states would be approximately 20m, alongside the proposed sedum roofs to the flat roof areas, I am satisfied that the visual impact of the proposal would be acceptable, and the proposal would not be visually overbearing. Thus, it would not result in an oppressive living environment for the existing occupants of No 5 and there would be no materially harmful loss to outlook.

11. Whilst it would ultimately rise to the same height of the previously dismissed scheme, the combination of the mono-pitched roof and rounded 'bullnose' end, would reduce the massing and bulk from that of the earlier scheme, and thus the prominence, of the extension when viewed from No 5. The addition of sedum roofs would also soften the visual impact, of both the proposal and the existing flat roof elements of No 2, in particular when seen against the backdrop of the trees along the River Stour. It would not be seen as an overbearing or visually dominating form of development.
12. Whilst the proposal would be visible, the outlook from No 5 would remain to be of the surrounding built form of the neighbouring properties of varying heights, with the trees along the River Stour visible. Whilst it would introduce a 2 storey element to No 2 which it's currently devoid of, given the distance from No 5 and the 'softened' design of the extension, this would mitigate the impact of the proposed development to an acceptable level.
13. Finally, in regard to the outlook from the ground floor bedroom window, this is already dominated by the existing dwelling of No 2, in particular the carport. Therefore, given the siting and distance of the proposal, the outlook from the bedroom window of No 5 would not be materially harmed, when compared to the existing situation.
14. In view of the above, the proposal would not materially harm the living conditions of the occupants of 5 Watermead, with particular regard to outlook. It would be in accordance with Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 Core Strategy (2014), Saved Policy HE12 of the Christchurch Local Plan (2001) and paragraph 135 (f) of the Framework. In combination, these policies seek to ensure all development achieve a high quality design, supporting development if it is compatible with its relationship to nearby properties including minimising general disturbance to amenity, ensuring that the residential amenities of existing and future occupiers of dwellings are not adversely affected, creating a high standard of amenity for existing and future users.

Other Matters

15. Local residents have raised concerns in regard to the design of the proposal, in particular regard to the unique design and character of the Watermead Estate. I note the Council did not object to the proposal on the grounds of design. After consideration of the proposal, and as confirmed by my site visit, I have no reason to come to a different conclusion on this matter. I also note the concerns that the proposal would set a precedent within the Watermead Estate, should the appeal be allowed. However, my decision is based firmly on the merits and circumstances of

the appeal proposal before me now. As such, it does not set any precedent that can apply more generally in the area.

16. The appeal site is located across the river from the Wick Village Conservation Area (CA), with the boundary of the CA running along the middle of the river. The proposal would be within the setting of the CA, which currently consists of 'an existing built-up area where there is a mix in scale and design of properties', as set out by the Council. The proposal would sit appropriately within the surrounding context of the CA. The Council did not raise any objection in regard to harm to the significance of the CA, by virtue of development within its setting. I see no reason to come to a different conclusion. Consequently, the significance of the CA would be preserved.
17. In regard to the impact on 3 Watermead, the neighbouring property to the east, I agree with the findings of the earlier Inspector who concluded that the one primary window which faces towards the appeal property is already impacted by the existing dwelling at No 2. The existing dwelling at No 2 would sufficiently screen the impact of the proposal so that the living conditions currently enjoyed by No 3 would not be materially harmed. I note that there would be a balcony incorporated as part of the proposal, which could allow for overlooking to No 3. Therefore, I consider that it would be necessary to attach a condition which would require details of an obscure glazed screen of at least 1.8 metres high to be sited along the eastern side of the balcony, to ensure that the living conditions of No 3 would not be harmed, in particular regard to privacy. I have amended the wording slightly to ensure the balcony would be maintained in accordance with any approved details.
18. Furthermore, I also note the siting of 2 rooflights in the front half of the western roofslope of No 3 facing the appeal site. However, due to the siting of the proposal and the curved elevation, this would ensure that any amenity value afforded by the existing rooflights in No 3 would not be materially harmed.
19. I note the concerns raised by local residents in regard to possible noise disturbance, the privacy of the occupants of neighbouring properties, loss of light and light pollution. However, due to the siting of the proposed extension in relation to the windows of neighbouring properties, the proposed first floor windows would not result in any material overlooking that could harm the privacy enjoyed by neighbouring occupants. Furthermore, given the height of the proposal development and its relationship with the surrounding neighbouring properties, the proposal would not materially affect the amount of light reaching the neighbouring properties. The remaining dwellings either within the Watermead Estate or on Willow Way would be well separated from the proposal. Consequently, the proposal would not cause unacceptable harm to their outlook when viewed from these other dwellings.
20. In relation to noise concerns, the proposal is a first floor extension to an existing residential property. No 2 would remain as a single residential dwelling, which would be appropriate in its surroundings. It would not result in a substantial increase in noise disturbance. Finally, the existing dwelling already has large areas of glazing, in part due to its contemporary design. Consequently, the proposal, by virtue of the glazing on the south elevation, would not result in unnecessary light pollution into the surrounding area.

Conditions

21. In addition to the aforementioned condition requiring details of the obscure glazed screen of the balcony, a condition setting a time limit for commencement of the development is required by statute. It is appropriate that there is a condition requiring the development to be carried out in accordance with the approved plans for certainty.
22. In order to ensure the longevity of the sedum roofs, a condition is considered reasonable and necessary for details of the sedum roof to be approved, including a proposed maintenance schedule. I have added a clause to the condition which requires the sedum roof to be maintained in accordance with the agreed maintenance schedule.

Conclusion

23. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Laura Cuthbert

INSPECTOR