



Appeal Decision

Site visit made on 22 April 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 06 May 2025

Appeal Ref: APP/V1260/D/25/3361466

78 Normanhurst Avenue, Bournemouth BH8 9NR

- 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 Nicki Talbot against the decision of BCP Council.
 - The application Ref is 7-2024-29358.
 - The development proposed is loft conversion with internal alterations and remodel.
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Decision

1. The appeal is allowed and planning permission is granted for loft conversion with internal alterations and remodel at 78 Normanhurst Avenue, Bournemouth BH8 9NR in accordance with the terms of the application, Ref: 7-2024-29358 subject to the conditions set out in the schedule at the end of this decision letter.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposed development on the character and appearance of the existing dwelling and on the local area, and
 - the effect of the proposed development on the living conditions of the immediate neighbours, with particular regard to loss of privacy.

Reasons

Character and appearance

3. The appeal property is a detached bungalow on the north side of Normanhurst Avenue and within a predominantly residential area. The land levels drop from south to north and from west to east. The existing property has a gable front and rear elevation under a pitched roof with both render as well as stone and hung tiles. The surrounding area comprises a broad mix of mainly detached properties, including bungalows and chalet dwellings as well as two storey houses.
4. The proposal seeks to convert the loft space into habitable accommodation with the addition of two side dormers with windows. The ridge and eaves height of the existing roof would not be changed. The house would also be remodelled at ground floor with new terraces to the rear and the introduction of new fenestration to the front and to the rear.

5. The street scene is varied but flat roofed dormers are seen on a number of properties, including at the front as well as to the side; they do therefore form part of the character and appearance of the local area. The proposed dormers would be set well in from the sides of the roof as well as set down from the ridge and up from the eaves lines, so that they would not appear over dominant in relation both to the roof form and to the overall scale and massing of the property. As a result of their scale in relation to the overall proportions of the dwelling, I do not consider that they would introduce a horizontal emphasis and that the gable front under its pitched roof would retain its vertical emphasis in the street scene.
6. In terms of materials the proposed palette of materials would work well together and would accord with the range of materials in the local area, including render and cladding. The proposed development in terms of its design and materials would be readily assimilated into the street scene where there is a variety of styles and materials in respect of the individual dwellings.
7. I am therefore satisfied that the proposed development would respect the character and appearance of the existing dwelling and of the local area. There would be no conflict with Policy CS41 of the Bournemouth Local Plan: Core Strategy (2012) (Core Strategy) and the National Planning Policy Framework (Framework) and in particular Section 12 all of which, amongst other matters, seek a high quality design which respects the local context.

Living Conditions

8. In residential areas there is often an element of overlooking from rear facing windows towards neighbouring gardens. I have nonetheless considered the proposals in respect of their potential impact on the amenities of neighbours with particular regard to overlooking and loss of privacy.
9. There are no windows in the side elevations of the neighbouring properties on either side of the appeal property. The proposed dormers would introduce side facing windows but most of these would serve bathrooms and a stairwell and would be required by condition to be in obscure glass.
10. The front most window of the western dormer would serve a bedroom and would have views over the front garden area of the adjoining property at No 80 Normanhurst Avenue (No 80). However, this area serves as a front garden and driveway and is open to public views in the street scene; I do not therefore consider it to be a private amenity area. The views from the dormer window towards this space would not therefore materially harm the privacy of the neighbours at No 80. The Council has also referenced existing roof windows in No 80 but given the distance between the proposed dormer and these existing windows and their position and angle in the roof slope I am satisfied that there would be no overlooking or loss of privacy for the neighbours at No 80 as a result of the proposed dormer window.
11. The Council has referred to the impact of the proposed rear terrace on the amenities of No 80. However, the land slopes down from west to east and so No 80 is set a higher level than the appeal property and the proposed terrace is situated towards the eastern side of the appeal property. I am therefore satisfied that there would be no material harm to the living conditions of No 80 as a result of the proposed rear terrace.

12. The adjoining property to the east is No 76 Normanhurst Avenue (No 76). I have taken into account the supplementary material provided by the Appellant at the appeal stage, but given the change in levels with No 76 set at a lower level than the appeal property, there would be the potential for views from the raised terrace towards No 76. This would lead to overlooking and loss of privacy which would harm the living conditions of these neighbours. However, I am satisfied that this harm could be mitigated through the requirement for a privacy screen along the eastern boundary and the Council has also proposed a similar condition.
13. Subject to the imposition of conditions as set out above, I am satisfied that there would be no material harm to the living conditions of the immediate neighbours to the appeal property, with particular regard to loss of privacy. There would be no conflict with Policy CS41 of the Core Strategy and the Framework and in particular paragraph 135 all of which seek a high quality design which respects the amenities of existing and future occupiers.

Other Considerations

14. The Appellant has referred to an application for a lawful development certificate for proposed development which has been submitted to the Council for roof additions and loft conversion, including the formation of a Juliet balcony. This was approved under the Council's ref: 7-2025-29358-A on 19 March 2025. That proposal is not the same as the one before me, and my consideration is solely on the basis of the proposal before me, as I am required to do.
15. There is an Area TPO in respect of the woodland to the rear of the appeal site, under the Ref: E87 and made in 1965. I am satisfied that there would be no harm to the protected trees as a result of the proposed development, given the siting of the works and the length of the intervening garden and the location of the protected trees beyond the appeal site boundary. The Council also raised no concerns in this regard.

Conditions

16. In terms of conditions, external materials shall accord with those shown on the approved plan to respect the character and appearance of the existing property and of the local area, and the approved plans should be listed for the avoidance of doubt and in the interests of good planning.
17. I shall also add a condition to require the side facing windows of the dormers serving non-habitable rooms and spaces to be obscure glazed and fixed shut to a height of 1.7 metres above the finished floor level of the room to protect the amenities of surrounding neighbours. For the same reasons a privacy screen is required to the terrace along the eastern side, but the details for this would need to be submitted and approved and then implemented prior to first occupation.

Conclusion

18. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

L J Evans

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall accord with those set out on the approved plan 250.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 001; 002 Rev A; 100; 200; 250 and 251.
- 4) No part of the development hereby permitted shall be first occupied unless the windows in the proposed dormers on the western and eastern side elevations serving the bathroom, en-suite bathroom and stairway have been fitted with obscure glass and fixed shut to a height of 1.7 metres above the finished floor level of the room in which the window is installed and thereafter so retained.
- 5) No part of the development hereby permitted shall be first occupied unless details of a privacy screen of at least 1.8 m in height to be erected along the eastern side of the raised terrace as shown on the approved plans have first been submitted to and approved in writing by the local planning authority. The screen shall be erected in accordance with the approved details prior to first occupation of the development hereby permitted and the screen shall thereafter be retained and maintained.

End of Schedule