

Planning Committee

Application Address	15 Vale Road, Poole, BH14 9AT
Proposal	Retrospective erection of rear and side extension including balcony on the rear extension
Application Number	APP/21/00319/F
Applicant	Mr & Mrs Smalley
Agent	Chapman Lily Planning Ltd
Ward and Ward Member(s)	Penn Hill
Meeting Date	20 th May 2021
Recommendation	Grant with Conditions
Reason for Referral to Planning Committee	Referral by Cllr O'Neil as it goes against policy PP27 - loss of light
Case Officer	Dominika Gec

Description of Proposal

- 1 Planning consent is sought for the retrospective erection of rear and side extensions including a balcony on the rear extension

Description of Site and Surroundings

- 2 The application site is a two-storey detached house on the southern side of Vale Road, a wholly residential street. Ground levels rise steeply within the rear gardens away from the rear elevations of no. 15 and adjacent homes towards their rear boundaries. There is a single storey extension to the rear and side. The proposals are currently under construction.

Relevant Planning History:

- 3 **2019:** Rear extension with flat roof which would extend beyond the rear wall of the original detached dwelling house by 4m for which the maximum height would be 2.93m and for which the height at the eaves would be 2.41m. **Withdrawn** prior to being determined (APP/19/00027/F)
- 4 **2020:** Retrospective erection of rear and side extension including terrace on the rear extension. **Refused** (APP/20/00178/F)
Reason of refusal: The proposed terrace over the ground floor extension would cause material harm to amenity and privacy of the neighbours.
- 5 **Appeal:** APP/V1260/D/20/3259811 – dismissed.
Reason: loss of privacy, outlook and light and overbearing impact on the neighbours.

Constraints

6 None

Consultations

7 None

Representations

8 In addition to letters to neighbouring properties a site notice was posted outside the site on 19 March 2021 with an expiry date for consultation of 12 April 2021.

9 3 representations have been received raising objection. The issues raised comprise the following:

- Loss of privacy to nos. 13 and 17 and loss of light to no. 13
- Noise and disturbance

Key Issues

10 The key issues involved with this proposal are:

- Impact on the character and appearance of the area
- Impact on the amenity and privacy of neighbours

11 These issues will be considered along with other matters relevant to this proposal below.

Policy context

Poole Local Plan (Adopted 2018)

PP01 Presumption in favour of sustainable development
PP27 Design

National Planning Policy Framework (February 2019)

Section 2 – Achieving Sustainable Development

Paragraph 11 –

“Plans and decisions should apply a presumption in favour of sustainable development.

For **decision-taking** this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.”

Planning Assessment

- 12 The current proposal is a revised version of the previously refused by the Planning Committee in July 2020 (APP/20/00178/F). A subsequent appeal against the refusal of this application was dismissed by the Planning Inspectorate on 18.12.20, the Inspector concluding the scheme would unacceptably impact on the privacy of No.17 to the west and the outlook of No.13 to the east. All other aspects of the scheme were considered to be acceptable. On the current application before members, the balcony over the rear extension has been reduced in size and now protrudes beyond the rear elevation by 1.5m.

Impact on the character and appearance of the area

- 13 Similar to the previous scheme, the proposed changes to the front elevation and proposed flat roof over the single-storey side extension would complement the existing house and preserve the existing character appearance of the area. The single-storey rear extension and terrace over it would not be visible from the street and would preserve the residential character of the area.

It is noted that the Inspector concluded the scheme had acceptable impacts on the character and appearance of the area. The impacts on the streetscene are considered to be acceptable. The scheme is considered to comply with the test in Policy PP27 to reflect or enhance local patterns of development and neighbouring buildings.

Impact on the neighbouring amenity and privacy

- 14 The proposed single-storey extensions to the side and rear would not give rise to any material loss of outlook or privacy to neighbouring properties and this is consistent with the conclusions of the Inspector on the previous appeal. The proposed 1.8m screen to the eastern side of the balcony to the rear would be 1.5m wide and inset from the side boundary by approximately 1.85m. It is considered this would not have an adverse impact on outlook from no. 13 as this neighbour has a canopy roof over the kitchen door that already causes some loss of light and outlook. The screen proposed to the western side of the rear balcony is 1.6m in height and would be inset by approximately 4m from the west boundary, thereby limiting the impact on the living conditions of no. 17 in terms of loss of sunlight or daylight, outlook or overbearing impact.
- 15 The currently proposed new window arrangement to the front, the single storey side and rear extensions are as per the previous application and would have acceptable impacts on neighbouring living conditions. The proposed 1.8m high screen to the eastern side of the balcony over the rear extension would be set in from the eastern boundary by approximately 1.85m and would consequently screen any potential views towards the immediate rear garden of no. 13, acceptably preserving privacy to this area. The screen to the western side of the balcony would be 1.6m high. However, the 4m distance from the boundary with no. 17 is considered acceptable to limit views towards this neighbour's immediate rear garden. Both screens could be secured by condition (#4) to protect privacy of the neighbours. Any noise from the typical residential use of the proposed balcony is considered to be compatible with neighbouring living conditions.
- 16 The current application has sought to address the reasons which caused the Inspector to dismiss the earlier appeal. The reduced depth of the proposed balcony, coupled with the proposed screens is now considered to have acceptable impacts on the privacy of No.17 to the west and the outlook of No.13 to the east. The scheme is considered to comply with the test in Policy PP27 to be compatible with surrounding uses and not result in a harmful

impact upon amenity for local residents.

Planning Balance

- 17 The proposal would preserve the appearance of the area and have an acceptable impact on the Vale Road streetscene. The extensions to the side and rear, given their single storey scale would have acceptable impact on the living conditions of neighbours. The balcony proposed to the rear would also have acceptable impacts on neighbouring privacy and the screens to the sides are not considered to be harmful for neighbouring amenities in terms of loss of sunlight or daylight, outlook and would not appear overbearing.
18. The scheme therefore has acceptable environmental impacts and its social and economic impacts are neutral. The scheme therefore complies with Policy PP27 and the development plan and is recommended for approval.

RECOMMENDATION

- 19 GRANT permission with the following conditions, which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision.

Conditions

1. GN150 (Time Expiry 3 Years (Standard))

The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason -

This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. PL01 (Plans Listing)

The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no. 19189 01A Location & Block Plan + Topographical Survey received 26/02/2021

Drawing no. 19189 63 C Proposed Elevations received 26/02/2021

Drawing no. 19189 62 B Proposed Floor Plans received 26/02/2021

Reason -

For the avoidance of doubt and in the interests of proper planning.

3. AA01 (Non standard Condition)

The materials and finishes to be employed on the external faces of the development hereby permitted shall be as specified on the approved plans.

Reason -

To ensure that the external appearance of the building is satisfactory and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

4. GN170 (Screening to Balcony - General)

An obscure glazed privacy screen at least 1.8 metres in height and glazed with glass which conforms to or exceeds Pilkingtons Texture Glass Privacy Level 3 shall be erected along the eastern side of the roof terrace and 1.6 metres in height and glazed with glass which conforms to or exceeds Pilkingtons Texture Glass Privacy Level 3 along the western side as shown on the approved plan. The screens shall be erected prior to the commencement of the use of the balcony hereby permitted, and shall thereafter be permanently retained as such.

Reason -

In the interests of privacy and amenity of the neighbouring properties and in accordance with PP27 of the Poole Local Plan (November) 2018.