
Appeal Decision

Site visit made on 17 January 2017

by Mike Fox BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 January 2017.

Appeal Ref: APP/G1250/D/16/3163565

71 Holdenhurst Avenue, Bournemouth, BH7 6RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Stuart Bates against the decision of Bournemouth Borough Council.
 - The application Ref 7-2016-4514-J, dated 5 July 2016, was refused by notice dated 9 September 2016.
 - The development proposed is alterations and single storey extension to form a workshop and use of the existing garage as additional living accommodation.
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Decision

1. The appeal is **dismissed** insofar as it relates to **alterations and single storey extension to form a workshop** at 71 Holdenhurst Avenue, Bournemouth, BH7 6RB.
2. The appeal is **allowed** insofar as it relates to **the use of the existing garage as additional living accommodation** at 71 Holdenhurst Avenue, Bournemouth, BH7 6RB in accordance with the application Ref 7-2016-4514-J, dated 5 July 2016, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, all prefaced by ASP.16.034:001A *Existing Site and Location Plan*; 002A *Existing Floor Plans 1*; 003A *Existing Floor Plans 2*; 004A *Existing Elevations 1*; 005A *Existing Elevations 2*; 100A *Proposed Site Plan*; 101A *Proposed Floor Plans 1*; 102A: *Proposed Floor Plans 2*; 103A *Proposed Elevations 1*; 104A *Proposed Elevations 2*; and 200A *Street Scenes*.

Procedural Matters

3. The proposed single storey extension to form a workshop has been partially completed and is a variation on a former scheme which is currently subject to an enforcement notice.

4. In the interests of clarity, the high concrete post and vertical close-boarded timber fence which has been constructed around part of the perimeter of the site is not part of the appeal proposal before me.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

6. The appeal property is a large detached house which is situated on a street corner within an established residential area. The neighbourhood is characterised by detached houses, with their tree lined frontages and building lines set well back from the street which, together with their low boundary walls, gives an open and harmonious appearance to the area.
7. The proposed conversion of the garage on the north side of the existing house for additional living accommodation is not an issue between the main parties. It has raised no objections from the highway authority, and I see no reason to come to a different view. I also consider that this element of the proposed development in terms of its overall design, scale, detailing and external materials, satisfactorily accords with the host building and the streetscene.
8. I therefore conclude that the proposed conversion of the garage would not conflict with national policy on design as expressed in Section 7 of *the Framework*¹, and neither would it be contrary to policy CS41 of Bournemouth Local Plan: Core Strategy (October 2012), which requires that all development and spaces are well designed and of a high quality.
9. I now turn to the partially completed workshop (referred to by the Appellant as the boathouse), to the south of the host dwelling. The Appellant considers that this single storey extension represents a modest proposal, which has full regard to the constraints of the site, the townscape character of the area and the amenities of neighbouring properties.
10. This structure projects significantly beyond the established building line, which is set substantially back from Ovington Avenue and which is a key feature in the character and appearance of the neighbourhood. It almost joins up with the existing post and timber boundary fence, which runs along the back of the footpath on Ovington Avenue. In addition, the structure is a bulky extension to the host building, with a height of approximately 3.1m. It is unduly conspicuous in, and out of character with, the host building and the streetscene and it erodes the openness of the land at the junction of Holdenhurst Avenue and Ovington Avenue.
11. Core Strategy policy CS41 requires development to contribute positively to the appearance of the area and enhance local distinctiveness. I consider that the partially completed workshop fails to satisfactorily address these requirements. It also fails to accord with paragraph 64 of *the Framework*, which states that "*planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*".

¹ DCLG: National Planning Policy Framework (*the Framework*); March 2012.

12. I therefore conclude that this part of the proposed development is unacceptable in its impact on both the character and appearance of the host property and the area, contrary to national policy and the development plan.

Other considerations

13. The Council also expresses concerns over lack of soakaway details to serve the single storey extension. This, however, could be rectified through a planning condition, had I been minded to allow this part of the appeal.

Conditions

14. I have imposed the conditions as suggested by the Council. In addition to the standard time condition and condition referring to the approved plans, condition (2) is to safeguard the character and appearance of the area. The Council also brought to my attention the need to assess ground contamination risk, and agree an appropriate remediation scheme if necessary, but I consider that this refers to that part of the appeal which I am dismissing and is not therefore needed for inclusion in my list of conditions.

Conclusion

15. For the reasons given above and having regard to all the other matters raised, I conclude that the appeal should be dismissed insofar as it relates to the proposed alterations and single storey extension to form a workshop and allowed insofar as it relates to the use of the existing garage as additional living accommodation.

Mike Fox

INSPECTOR