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# Appeal Decision

Site visit made on 1 October 2018

**by John D Allan BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 October 2018**

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**Appeal Ref: APP/G1250/D/18/3208630**  
**245 Kinson Road, Bournemouth, BH10 5HD**

- 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 and Mrs Markham against the decision of Bournemouth Borough Council.
  - The application Ref 7-2018-6569-B, dated 2 May 2018, was refused by notice dated 3 July 2018.
  - The development proposed is the demolition of existing attached garage, construction of two-storey side extension and new dropped kerb across existing drive.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the effect of the proposal on: - (i) the character and appearance of the area, (ii) the living conditions at 243 Kinson Road with particular regard to visual impact, and (iii) highway safety.

## Reasons

### *Character and appearance*

3. The appeal property is a two-storey, detached dwelling with a gabled front elevation and single-storey, flat roofed attached garage to one side. It is located along a fairly busy main road within a predominantly residential area comprising mixed dwelling types, sizes, ages and designs. The proposal is to demolish the attached garage and to construct a two-storey side extension in its place.
4. Part 3.2 of the Council's *Residential Extensions - A Design Guide for Householders* (DG), adopted in 2008, deals specifically with side extensions. It recognises that the character of an area can often be informed by the spaces between buildings and that side extensions which fill the gaps between properties can result in an unacceptably cramped appearance. To avoid this, it states that side extensions should be set at least 1.0m off the side boundary of

the property. Amongst other things it also states that the ridge height of the extension should be set down from the ridge of the main property so the addition is subservient and does not dominate.

5. In this instance the extension would project the height of the existing roof sideways. However, its eaves lines would be lower than those on the main building, imparting a degree of subservience that would be further emphasised by the slight recess to the side addition in relation to the existing front elevation. Moreover, the extension would appear as a well-integrated part of the resulting building rather than an obvious addition. Bearing in mind the mix of property types along this stretch of Kinson Road I am satisfied that the extension would complement the existing building.
6. The two-storey side extension would fill the space at first floor level between the existing dwelling and the side boundary shared with 243 Kinson Road. This would conflict with the guiding principles within the DG. More importantly, the extension would encroach close to the existing main two-storey part of the dwelling at No 243. The proximity would be further exaggerated by the angled setting between both dwellings, with the gap between them tapering to the front. In my assessment the resulting building would have an awkward and cramped relationship with No 243 when seen from Kinson Road.
7. I recognise that the existing building extends across virtually the full width of the plot. Nevertheless, and despite the proximity of both neighbouring dwellings to each side, there is an important sense of space around the building that is derived from gaps between the dwellings at first floor level. This allows the individual architectural styles of each to sit comfortably in relation to each other and within the wider street scene. This would be lost as a result of the appeal proposal which would be harmful to the street scene and contrary to Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) insofar as it seeks to ensure that development is designed to respect the site and its surroundings. For these same reasons there would be conflict with the National Planning Policy Framework as it deals with the quality of design.

#### *Living Conditions at 243 Kinson Road*

8. Due to the angled relationship between the appeal property and No 243, the outlook from the rear of the neighbouring property is directed away from the appeal site. I am not persuaded that the new works would appear overly prominent, likely only to be seen from within the neighbour's living space at a very acute angle, if at all. There are no side windows to the flank wall of No 243 facing the appeal property.
9. I accept that there would be some degree of enclosure to the neighbour's rear garden, but the extension would not project for any significant length along the boundary beyond the rear of No 243. Furthermore, the neighbouring plot is fairly wide and deep, with an expansive rear garden, the majority of which would be unaffected by the works.
10. Overall, I am satisfied that the proposal would not impose itself upon the living conditions at No 243 as an overbearing or oppressive form of development. In this regard I find no conflict with Policy CS41 as it relates to the amenity of neighbouring residents.

### *Highway Safety*

11. The existing dwelling has a garage and driveway to the front. Despite this there is no dropped kerb to the highway's edge to allow formal crossing of the footpath by vehicles although it is evident that the frontage is regularly used for parking. The situation is odd, particularly as the original grant of planning permission for No 245 in 1966 was for the erection of a house and private garage. It is also wholly out of step with other properties along Kinson Road, most of which have pavement crossings leading to a variety of different off-street parking arrangements.
12. Saved Policy 8.2 of Bournemouth District Wide Local Plan (adopted 2002) states that on existing district distributor roads the opportunity will be taken to close existing vehicular frontage access when development takes place and alternative means of access can be obtained. There is clearly no alternative means of access to the appeal site.
13. What is more, given the prevailing circumstances at No 245, and those at countless other properties nearby where off-street parking is freely available but in many examples without turning facilities, there is no substantive evidence of any existing highway safety concerns. It is difficult to understand how the proposal would result in an increased highway safety risk. Therefore, based on the information that is available to me, I find no conflict with Policy 8.2 or the Framework as it seeks to ensure that safe and suitable access to a site can be achieved for all users.

### *Other matters*

14. I have noted some other concerns expressed by the neighbour at No 243 but issues that relate to the potential problems associated with building on the common boundary are not directly related to the planning merits of the case.
15. I have noted the appellants' reasons for choosing the form of development proposed, but these do not overcome my concerns as they relate to the size and position of the extension in relation to the side boundary of the plot. I appreciate that the proposal would improve the living conditions for the appellants' growing family, but this does not outweigh the harm that I have identified.

### **Conclusion**

16. Notwithstanding my findings as they relate to any impact upon the living conditions at 243 Kinson Road, and upon highway safety, I find that the proposal would be harmful to the character and appearance of the area. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

*John D Allan*

INSPECTOR

