
Appeal Decision

Site visit made on 17 January 2019

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 January 2019

Appeal Ref: APP/G1250/D/18/3216226

15 R L Stevenson Avenue, Westbourne, Bournemouth, Dorset BH4 8ED

- 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 Andrew Noonan against the decision of Bournemouth Borough Council.
 - The application Ref 7-2018-26497-B, dated 25 June 2018, was refused by notice dated 29 August 2018.
 - The development proposed is the erection of a 3-storey extension to rear of dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 3-storey extension to rear of dwellinghouse at 15 R L Stevenson Avenue, Westbourne, Bournemouth, Dorset BH4 8ED in accordance with the terms of the application, Ref 7-2018-26497-B, dated 25 June 2018, 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 and as described in the application shall be carried out in accordance with the following approved plans: Site Location Plan at scale 1:1250, Site Plan Rev A, and Drg Nos 2301/06, 2301/07, 2301/08 and 2301/09.
 - 3) 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.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the flank elevation facing 11 R L Stevenson Avenue of the extension hereby permitted.

- 5) The proposed window at first floor level in the flank elevation facing 11 R L Stevenson Avenue of the extension hereby permitted shall be fitted with obscure glass. The window shall be permanently retained as such.

Preliminary Matter

2. The description of the development was explicit in referring solely to the erection of a 3-storey extension to the rear. The planning application drawings show some other works to the front elevation of the premises. These do not form part of the proposal for which planning permission was sought. For the avoidance of any doubt, my decision relates only to the proposal as it was described on the application form.

Main Issues

3. The main issues are the effect of the proposal on: - (i) the character and appearance of 15 R L Stevenson Avenue and the wider area, including the Westbourne Conservation Area, and (ii) the living conditions of neighbouring occupiers at 11 R L Stevenson Avenue, and future occupiers of the appeal property, with particular regard to privacy and visual impact.

Reasons

Character and Appearance

4. The appeal property is one half of a semi-detached 3-storey pair of dwellings suggested by the parties to have originally been built as one single residence in the latter half of the 19th Century. Accommodation is arranged over 4 floors, with a lower ground floor and space at second floor level set within the roof. There is an unusual 4-storey, fairly narrow flat roof projection to the rear set immediately adjoining the shared boundary with the attached property at No 17 and which extends above the building's eaves line. The proposal is to enlarge the existing rear projection by extending it sideways but terminating the new addition's height below the eaves to the main part of the dwelling. The extension would necessitate the repositioning of rear facing windows to the appeal property at lower ground, ground and first floor levels.
5. The site lies within the Westbourne Conservation Area (CA), the boundary of which runs along the rear boundary of the appeal site and other properties to this side of R L Stevenson Avenue. Despite a suggestion to the contrary within the planning officer's report, the Council has confirmed that there is no written character area appraisal for the CA. From my own observations I saw that it is a largely residential area from the Victorian era comprising some medium density housing but also some densely developed retail parades; its charm derived from its historical associations and architectural detailing that is typical for its period.
6. The appeal property, along with others to this side of R L Stevenson Avenue, has a reasonably imposing presence within the street scene; its detailing appearing typical for its age and type such that it makes a noticeable contribution to the character and appearance of the area. That is not so to the rear. The appeal property backs on to the functional and utilitarian grounds and buildings of a fire station. The rear of No 15 can be seen from beyond its curtilage, glimpsed from a public car park in Alumhurst Road and in gaps

between some buildings. However, it does not form part of any established townscape that is important within the CA.

7. The Council take the view that the existing rear projection to No 15 is unlikely to be original and that it is an unsympathetic addition that warrants no further similar alteration. There is no evidence to conclusively determine whether the existing form of the building is original or not, but it is clear to me that the building as it stands is of considerable age and very long established as part of the area's built fabric. Moreover, I saw that contrary to some of the assertions made by the Council, many elements of the rear projection appeared to be wholly integrated with the detailed design features on the main part of the building, including fully matching materials and some continuous string and dentil courses of brickwork. The appeal proposal would continue to match these elements in the same way. The result would be a slightly wider projection compared with the existing, albeit stepped lower in height, but in a measured and reasonable way.
8. The new works would simply remodel the size and shape of the existing structure in a manner that would be entirely sympathetic with its existing presence. The repositioned windows to the rear would appear well located and as harmonious as the existing window arrangement, but with appropriate care proposed to be taken to replicate the brick detailing to each. I saw little meaningful balance or relevance to the building's window openings to the rear that was of significance. The property's chimney stacks, bracketed eaves and small dormer to the rear, that can be subtly appreciated from some limited longer distance sight, would be unaffected.
9. Although the new works would be unconventional, they would be moderately insignificant, merely infilling a corner part of the building's existing rear elevation in a manner that would be sympathetic to its existing context and visual presence. I am satisfied that there would be no harm to the character or appearance of No 15 and that, as such, the features that inform the special character and appearance of the CA would be unaffected, with no impact upon its significance as a heritage asset.

Living Conditions

10. The new works would project the existing rear projection sideways and towards No 11, which immediately adjoins the common boundary between both properties with an almost common alignment to the rear between the main parts of both buildings. No 11 is divided into flats and has a very deep rear projection at full 3-storey height. This element is recessed away from the shared side boundary with No 15 and has windows along its flank wall facing directly towards the appeal site.
11. Despite its encroachment towards No 11, the rear projection at No 15 would remain set a reasonable distance away from the shared side boundary. The outlook from the nearest rear facing windows within No 11 would continue to be directed towards the rear end of the neighbouring plot, steered principally by the deep projection at No 11 and likely to be unaffected by the appeal proposal. The additional width to the projection at No 15 would have little significant impact upon this outlook, with only little, if any, prospect of it being seen and only if then, at an oblique angle of sight.

12. I saw during my visit that the flank windows to No 11 were all obscurely glazed. I have no definitive information as to what rooms they serve, but they have no meaningful outlook and would therefore be unaffected by the extension's visual presence. For this same reason there would be no prospect of any harmful mutual inter-viewing between these windows and the repositioned windows to the rear elevation of No 15. There is no substantive evidence that levels of light would be adversely affected by the proposal.
13. Based upon my observations, I cannot agree with the Council, or with views expressed by the occupants of one of the adjoining flats, that the proposal would be clearly visible or somehow overbearing and intrusive.

Other Matters

14. I have noted comments relating to the structural stability of No 11 and access arrangements to the rear of the appeal site for the purpose of carrying out any building works, but these matters are not directly relevant to the planning merits of the case.

Conditions

15. A condition specifying the relevant drawings is necessary as this provides certainty. The proposal is explicitly for the use of matching brickwork, with matching brick detailing showing on the plans. A condition to this effect, together with the plans condition, would be sufficient, without further details needing to be required.
16. In order to safeguard the living conditions of the neighbouring occupiers a condition is required that would prevent any further windows being installed, but this is only necessary within the flank elevation of the extension. The officer's report correctly states that the proposed first floor flank window would serve a bathroom and that this could be required to be obscurely glazed. This control is necessary to safeguard the neighbours' living conditions.

Conclusions

17. For the reasons given I find that there would be no harm to the character or appearance of 15 R L Stevenson Avenue or the Westbourne Conservation Area. Neither would there be harm to the living conditions of neighbouring occupiers at 11 R L Stevenson Avenue or future occupiers of the appeal property.
18. Despite being referenced within the reason for the refusal, I have not been directed to any specific conflict with the Council's *Residential Extensions - A Design Guide for Householders September 2008*. Based on my findings, there would be no conflict with Policies CS39 or CS41 of the Bournemouth Local Plan: Core Strategy (2012) or with 'saved' Policy 4.4 of the Bournemouth District Wide Local Plan (2002), insofar as they seek to ensure that development respects the site and its surroundings, including amenity, and that a conservation area's significance as a heritage asset is protected through either preserving or enhancing its character and appearance. For these same reasons I find no conflict with the National Planning Policy Framework insofar as it deals with the quality of design, amenity for existing and future users of land and buildings, and conservation and enhancement of the historic environment.

19. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR