
Appeal Decision

Site visit made on 27 November 2020

by **L McKay MA MRTPI**

Inspector appointed by the Secretary of State

Decision date: 15th December 2020

Appeal Ref: APP/V1260/D/20/3253671

51 Boscombe Overcliff Drive, Bournemouth BH5 2DW

- 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 J Wragg against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2020-24146-O, dated 15 February 2020, was refused by notice dated 9 April 2020.
 - The development proposed is erection of external lift shaft to dwelling house.
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Decision

1. The appeal is allowed and planning permission is granted for erection of external lift shaft to dwelling house at 51 Boscombe Overcliff Drive, Bournemouth BH5 2DW in accordance with the terms of the application, Ref 7-2020-24146-O, dated 15 February 2020, and the plans submitted with it, subject to the following conditions: .
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1092/600 Rev C, 1092/601 Rev B, 1092/802.

Preliminary Matter

2. There is another appeal for the equivalent development on the adjacent, attached dwelling, which is the subject of a separate decision. For the avoidance of doubt, I have considered each proposal on its own merits. There are however some similarities between the proposed developments, and as such there will be some duplication in the content of the decisions.

Main Issue

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

Reasons

4. Boscombe Overcliff Road has a varied street scene, with modern 3 and 4 storey developments sitting alongside more traditional style dwellings. Both modern and traditional designs generally incorporate balconies, as well as strong vertical features such as bay windows and lift shafts. Vertical divisions between pairs of properties are a frequent theme in the modern developments. The appeal property shares these characteristic features and is typical of the modern developments in this part of the road.

5. The design and materials of the proposed lift shaft would relate well to the contemporary appearance of the existing dwelling, and would have similarities to the prominent lift shafts on the front of Nos 53 and 55. Furthermore, the proposal would be set well back from the front of the property and would be lower than the existing building, and as such would only be seen from limited public viewpoints. Although it would be predominantly glazed, the tinted glass proposed would limit views through the proposed lift shaft, however given its siting and small scale in relation to the existing dwelling, it would appear as a subservient addition to it. Therefore, the proposal would not be a prominent feature in the street scene.
6. Gaps between properties in this part of the road vary in size, and in places offer views between properties which contribute to creating visual separation between buildings of often significant size and bulk. There is a larger gap between the appeal property and No 53 than between other properties in the area. In particular, it is larger than the gap between Nos 49 and 50, and the gap between Nos 53 and 55. The proposal would reduce the size of this gap, however there would still be a reasonable space between the proposed lift shaft and No 53. Consequently, the proposal would not appear cramped or result in the two properties appearing to be adjoined. Therefore, although it would not be 1 metre from the boundary as the Council's Residential Extensions Design Guide recommends, the proposal would not result in a terracing effect.
7. There is an equivalent proposal for a lift shaft to No 50, and if both that and the appeal proposal were built, the symmetry of the pair of dwellings would be retained. However, the appeal proposal would not have a significant visual impact and would be seen alongside No 53, which is of similar design. Therefore, even if built in isolation it would not have a harmful impact on the appearance of the existing dwelling or the pair.
8. Accordingly, the proposal would not harm the character and appearance of the area, and as such would not conflict with Policy CS41 of the Bournemouth Local Plan Core Strategy which seeks to achieve high quality design, or the aims of the Design Guide.

Other Matters

9. The Council's Ecology consultee advised that the proposed development has the potential to impact on bats, which are a protected species. The Council confirms that there would be no loss of habitat from this proposal however. The proposed lift shaft would replace an existing window and would connect into occupied rooms of the dwelling, and would not affect any unoccupied areas or the roof space. The appellant also confirms that the warm roof construction means that the roof of the dwelling is sealed, leaving no opportunity for bats to access that space. Consequently, I do not consider that the proposal is likely to adversely affect bats.

Conclusion

10. For the reasons given above, the appeal is allowed.
11. Conditions are necessary to set the timeframe for implementation and to require compliance with the approved plans, in the interests of certainty.

L McKay

INSPECTOR