



Appeal Decision

Site visit made on 1 February 2021

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2021

Appeal Ref: APP/V1260/D/20/3262181

263 Windham Road, Bournemouth BH1 4RE

- 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 A Lewer against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2020-27832, dated 10 August 2020, was refused by notice dated 16 October 2020.
 - The development proposed is demolish existing garage, alterations and extension to existing building to form a 4 bedroom house.
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Decision

1. The appeal is allowed and planning permission is granted to demolish existing garage, alterations and extension to existing building to form a 4 bedroom house at 263 Windham Road, Bournemouth BH1 4RE in accordance with the terms of the application, Ref 7-2020-27832, dated 10 August 2020, 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: 9334/100; 9334/101; 9334/102.
 - 3) The materials and colours to be used in the construction of the external surfaces of the extensions hereby permitted shall match the elevation(s) to which the extension is to be added and such work shall be completed prior to occupation of the development granted by this permission and thereafter maintained as such.
 - 4) The proposed first-floor side window shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and non-opening below 1.7m above floor level, prior to the occupation of the accommodation hereby permitted and shall be permanently maintained and retained as such unless otherwise agreed in writing by the Local Planning Authority.

Procedural matters

2. The Council described the address as 261-263 Windham Road. Whatever the reason for any inconsistency in address, I have used the address given on the application form.

3. The Council indicated that there may be an inconsistency in the proposed drawings between the front and rear elevations, but the appellant has indicated that this is due to the existing ridge not being level. Additional plans were submitted for clarification but as the appeal has followed the Householder Appeal process, I have determined it on the basis of the drawings originally submitted to the Council.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the area; and the effect on the living conditions of the occupiers of No.259 Windham Road with particular regard to outlook and daylight.

Reasons

Character and appearance

5. Windham Road contains a wide variety of dwellings that reflect prevailing architectural styles of the time that they were built, giving a varied appearance, and character of an area subject to continuous change. The appeal site is part of a terrace of 4 dwellings that may have historically formed a single dwelling, or semi-detached pair. The overall building has a symmetrical appearance with forward projecting gables at each end. However, while it may be older than some other nearby dwellings and retains its historic composition, it is now subsumed into the varied street scene and does not stand apart from the surrounding built form. Thus, it makes a neutral contribution to the general character and appearance of the area.
6. The side extension would come close to the plot boundary and remove the overall symmetry of the building. There would be no meaningful variation in the ridge line as encouraged by Residential Extensions: A Design Guide for Householders 2008 (RDG), but the front elevation would be set behind the projecting gable allowing that gable to remain the dominant part of the building. Thus, whether read as an extension or additional dwelling in the terrace, the building's neutral contribution to the overall street scene would remain and it would not result in an incongruous addition to the host dwelling.
7. I, therefore, conclude that the proposal would not harm the character and appearance of the area and there would be no conflict with those aims of Policy CS41 of the Bournemouth Local Plan: Core Strategy 2012 (LP) which require development to respect the site and its surroundings.

Living conditions

8. The neighbouring 259 Windham Road has side windows facing towards the site. The two storey extension would be considerably higher and dominant than the garage/outbuildings that it would replace. However, while the 45 degree lines described in the RDG may be broken, the closest window towards the front of No.259 is obscure glazed. Therefore, it does not have a significant outlook and the effect on daylight through the window, which is already situated between buildings, would be limited.
9. Side windows towards the rear of No.259 would still be afforded reasonable outlook as the extension would not extend beyond the main rear wall of the existing dwelling. In this context, the proposal would not adversely affect living conditions. There could be some additional shading to the neighbouring garden,

but given the high density arrangement of surrounding dwellings and the relative positions of the garden and extension to the travel of the sun, this would not be to a harmful degree.

10. I, therefore, find that the proposal would not harm the living conditions of the occupiers of No.259 and there would be no conflict with those aims of LP Policy CS41 that seek to prevent harm to amenity.

Conditions

11. A plans condition is required in the interests of certainty. To protect the character and appearance of the area, materials should match the existing dwelling and the first-floor side window should be obscure glazed to protect the privacy of neighbours.

Conclusion

12. With regard to the above, I conclude that the appeal should be allowed.

M Bale

INSPECTOR