



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/20/3261572

2 Huntly Road, Bournemouth BH3 7HH

- 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 & Mrs Tran against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2020-6296-B, dated 15 June 2020, was refused by notice dated 17 September 2020.
 - The development proposed is alterations, extension to dwellinghouse and formation of a balcony.
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Decision

1. The appeal is allowed and planning permission is granted for alterations, extension to dwellinghouse and formation of a balcony at 2 Huntly Road, Bournemouth BH3 7HH in accordance with the terms of the application, Ref 7-2020-6296-B, dated 15 June 2020, subject to conditions in the attached schedule.

Procedural matter

2. The application form describes the proposal as amended application to show as built and formation of balcony. The first part of that description is not an act of development. I have, therefore, used the description from the Council's decision notice, which is repeated by the appellant on the appeal form, removing the reference to unauthorised works as that is not an act of development. As the proposal is for works that have and have not taken place I have determined the appeal on the basis of the submitted plans.

Main Issue

3. The main issue is the effect of the development on the living conditions of No.4 Huntly Road and Nos.5 and 7 Keith Road with regard to privacy.

Reasons

4. The proposal includes a large roof terrace at first floor level. Residential Extensions: A Design Guide for Householders 2008 indicates that balconies can have serious implications for neighbours and that those which would result in harmful overlooking will be refused.
5. The balcony would provide elevated views towards the neighbouring properties at Nos. 5 and 7 Keith Road. No.7 has a swimming pool towards the rear of its garden, but given the distances to the boundary from the terrace, an existing fence would screen most views of it.

6. The boundary to No.5 is more open and views would be possible towards the rear of the dwelling and its garden. The boundary fence would also do little to screen views towards the rear of No.7 and the parts of the garden closer to the house. However, the distances are substantial and as such, the living conditions of these neighbours would not be harmed.
7. The boundary with No.4 Huntly Road is closer. An existing garage would obscure views from the balcony towards large windows at No.4 that face towards the site and parts of the garden. Although the long-term presence of the garage cannot be secured, the balcony would still be set away from the boundary with No.4. Although the size of plots in the locality means that the dwellings are fairly private, they are not entirely screened from views from other neighbouring dwellings, including No.2.
8. The proposal is for a number of other alterations, including a second floor dormer window facing Alyth Road. As this faces towards the public highway, I have no reason to disagree with the Council's conclusion that this element would not harm the living conditions of neighbours on the opposite side of the road.
9. With regard to the above, the proposal would not harm the living conditions of neighbouring residents. There would, therefore, be no conflict with those aims of Policy CS41 of the Bournemouth Local Plan: Core Strategy 2012 that seeks to prevent harm to amenity. A plans condition is required in the interests of certainty and a condition requiring materials to match the existing building is necessary to protect the character and appearance of the area.
10. I, therefore, conclude that the appeal should be allowed.

M Bale

INSPECTOR

Schedule

- 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: J19053-001 (Site and Location Plans); J19053-004 (Existing Ground Floor Plan); J19053-004 (Proposed Ground Floor Plan); J19053-005 (Existing First Floor Plan); J19053-005 (Proposed First Floor Plan); J19053-006/B (Proposed Second Floor Layout); J19053-006/C (Existing Second Floor Layout); J19053-007/C (Existing Elevations 1 of 2); J19053-007/C (Proposed Elevations 1 of 2); J19053-008/B (Proposed Elevations 2 of 2); J19053-008/C (Existing Elevations 2 of 2); C1419/P/100/P1 (Drainage Layout); C1419/P/300/P- (Construction Details).
- 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.