
Appeal Decision

Site visit made on 16 September 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 October 2022.

Appeal Ref: APP/V1260/D/22/3300369
82 Watcombe Road, Bournemouth, BH6 3LX

- 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 Jason Holland against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2021-19325-D, dated 11 August 2021, was refused by notice dated 11 March 2022.
 - The development is the erection of a detached single storey outbuilding for use as annexe for ancillary use with raised decking.
-

Decision

1. The appeal is allowed and planning permission is granted for a detached single storey outbuilding for use as annexe for ancillary use with raised decking at 82 Watcombe Road, Bournemouth, BH6 3LX in accordance with the terms of the application, Ref 7-2021-19325-D, dated 21 January 2022, subject to the conditions set out in the attached Schedule.

Preliminary matter

2. I saw that, externally, the development subject of the appeal was substantially complete, but was unused since internal fitting-out was still to take place. The appellant, in effect, wishes to retain that already carried out and to complete the development in accordance with the submitted plans. I shall proceed on this basis.

Main issues

3. The main issues are the effect of the development on the character and appearance of its surroundings and on neighbouring living conditions with specific reference to visual impact.

Reasons

4. The outbuilding, which is meant to be used as a residential annexe, stands at the bottom of the garden of the host property, which is a detached dwelling, as are most properties in the near vicinity. Gardens are generally spacious and, as I saw from the upper floor of the host property, all are well vegetated, with a significant number of trees including evergreens in evidence. The extant buildings fronting surrounding streets effectively screen the outbuilding to views from the public realm.

5. An outbuilding of a similar height and width was recently granted planning permission by the Council¹. However, the outbuilding as built is wider by approximately 3m than that permitted with the result that it is closer to its side boundaries shared with Nos 80 & 84 Watcombe Road.
6. However, ample room exists to walk around the outbuilding to its sides and rear. I do not consider it built too close to boundaries and it does not appear cramped in its visual context. The surrounding trees, vegetation, and the boundary timber fence present on 3 sides of the outbuilding, provide a reasonable and effective degree of screening from nearby properties and gardens.
7. I saw that there were many examples of outbuildings in the surrounding area's rear gardens. Most were smaller than that subject of appeal, but as the applicant has pointed out, some are comparable in size and position. It seemed to me, however, that the spaciousness of local rear gardens, taken in combination, is such as to be able to safely assimilate this outbuilding without harming the area's character and appearance. Nor do I consider, taking account of the dimensions of the previously approved outbuilding and the available screening, that the partly completed building has or would harm neighbouring residents by reason of adverse visual impact.
8. I therefore conclude that the completion of the development in the manner proposed would not harm the character and appearance of the surrounding area or neighbouring living conditions. Accordingly, I find no conflict with those provisions of Policy CS41 of the Bournemouth Local Plan: Core Strategy requiring the design of new development to respect the character of the surrounding area and the amenities of neighbouring residents.

Conditions

9. Since development has already begun, the time-limiting statutory condition relating to the commencement of development is unnecessary. The Council's suggested condition regarding materials is also unnecessary since the external elevations are already clad and substantially complete.
10. It is however necessary in the interests of certainty that the development should be completed in accordance with the approved plans.
11. To ensure that the proposed accommodation is used for its intended, stated purpose and to safeguard against the creation of a separate planning unit, the Council's suggested occupancy condition shall be imposed, albeit in a modified form. This condition would also safeguard neighbouring residents' living conditions from possible noise and disturbance.
12. The Council's suggested condition relating to external lighting shall be imposed in the interests of protecting neighbouring residents' amenity.
13. The Council suggests the imposition of two conditions which would have the effect of removing certain permitted development rights from the property. I consider both are reasonable and are imposed for the same reasons as set out by the Council, but in a slightly modified form, since the Council's concerns directed to a possible subdivision of the curtilage, presumably so as to create

¹ Ref 7-2020-19325-C, dated 30 March 2021.

separate planning units, would not, in my view, amount to permitted development.

Other matters

14. All other matters referred to in the representations have been considered, including concerns expressed by a local resident in respect of scale, future use and possible nuisance. I have already dealt with most of these matters, and the occupancy conditions imposed is designed to regulate the future use of the annexe.
15. I have also taken account of the Council's references to national policy and its '*Residential Extensions – a Design Guide for Householders*', in particular section 3.8 on Annexes.
16. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be completed in accordance with the following approved plans: Ref 21-RG/567/001A; 21-RG/567/002C & 21-RG/567/003
2. The annexe hereby permitted shall be used solely for purposes ancillary to the dwellinghouse known as 82 Watcombe Road and shall not be used or let at any time as a separate unit of residential accommodation or for holiday let purposes.
3. The brightness of any external lighting attached to, or illuminating, the annexe hereby permitted shall not exceed 200 candelas per square metre.
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 doors or windows, nor any rooflights shall be installed in the annexe hereby permitted.
5. 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 outbuildings or structures shall be erected within the rear curtilage of No. 82 Watcombe Road.

