



Appeal Decision

Site visit made on 14 April 2023

by G Powys Jones MSc FRTPI

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

Decision date: 26th April 2023

Appeal Ref: APP/V1260/D/22/3304352

22A Exton Road, Bournemouth, BH6 5QF

- 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 Jake Hayward against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2022-22932-B, dated 20 April 2022, was refused by notice dated 28 June 2022.
 - The development proposed is the erection of garden room.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a garden room at 22A Exton Road, Bournemouth, BH6 5QF in accordance with the terms of the application, Ref 7-2022-22932-B, dated 20 April 2022, subject to the conditions set out in the attached Schedule.

Main issues

2. The main issue is the effect of the development on the character and appearance of its surroundings.

Reasons

3. The property looks like a detached dwelling but as clarified in the representations it is sub-divided into two flats. It stands at the junction of Exton Road and Ashford Road, and the garden serving the flats extends along both frontages. The garden appears to have been physically divided into two sections. Were it not for the timber fences erected on the frontages, most of the garden would be exposed to public gaze and lack privacy. I saw that such fencing was not uncommon in the locality especially where roads intersect in this residential area of distinct suburban characteristics.
4. The appellant, who lives in one of the flats, wishes to erect a garden room on the Exton Road frontage. It is a shorter and lower version than initially proposed and would replace a smaller garden shed. To my mind, albeit the garden room's upper section could be seen from the street outside, the fence would prove an effective instrument in screening most of the structure, so that it would not appear unduly prominent or harmful. In this respect I do not share the Council's assessment that it would prove to be a *large visible structure* forward of the building line causing harm. The building, to my mind, would have very little and not an unacceptable effect on the street scene.
5. I conclude that the proposed development would not harm the character and appearance of its surrounding. 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.

Conditions

6. The Council has suggested the imposition of certain conditions in the event of the appeal being allowed. I agree it is necessary in the interests of certainty that the development should be carried out in accordance with the approved plans.
7. The Council suggests a condition regulating the use and occupancy of the proposed garden room, thus reflecting concerns as to possible noise and amenity arising from its use expressed in the public response to the proposal. I share the view that such a condition is necessary, but of a different wording to that suggested by the Council.

Other matters

8. All other matters referred to in the representations have been considered, including concerns expressed by the owner of the other flat in the property. The occupancy condition imposed is designed to regulate the future use of the proposal. Ownership issues, including the possible need for consent to use the land are not planning matters, but for the respective owners to resolve. Largely for the same reasons as the Council, I do not consider that neighbouring amenity would be harmed, and saw no reason to conclude on the basis of the evidence, including that of my site visit, that car parking was insufficient.
9. 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 plan: Ref 22-689/001 A.
2. The garden room hereby permitted shall be used solely for purposes ancillary to the residential flat known as 22A Exton Road and shall not be used or let at any time as a separate unit of residential accommodation or for holiday let purposes.