

Appeal Decision

Site visit made on 14 August 2023

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th September 2023

Appeal Ref: APP/V1260/D/23/3317300
10 Westby Road, Bournemouth BH5 1HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mrs M Nazat against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2022-11748-E, dated 15 March 2022, was refused by notice dated 5 December 2022.
 - The application sought planning permission for alterations and two storey extension to dwellinghouse without complying with a condition attached to planning permission Ref. 7-2018-11748-C, dated 27 November 2018.
 - The condition in dispute is No1 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and Drawing No.6042/2 Rev F.
 - The reason given for the condition is for the avoidance of doubt and in the interest of proper planning.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As set out above, planning permission 7-2018-11748-C was granted in 2018 for the erection of a two storey rear extension off an earlier extension at 10 Westby Road. Before going further, I note that the planning application form submitted for the proposal, the subject of this current appeal, identified the appeal site as 12 Westby Road, however that it is quite clearly an error with the appeal site relating to 10 Westby Road, as confirmed by the site location plan and the Council's decision notice.
3. In addition, the planning application form stipulated that condition No 1 of the parent planning permission be varied such that Drawing No. 6042/2 Rev G be approved, in lieu of Revision F of the same drawing number; essentially omitting the pitched roof element from the proposal. However, it appears that Drawing No. 6042/2 Rev G was not submitted with the Section 73A planning application. Instead two plans were submitted with Drawing References 6358-1 and 6358-2 with the former showing a flat roof construction projecting significantly above the eaves of the host dwelling. Notwithstanding that the former drawing is entitled 'Elevations as existing' this is clearly not the case

from my site visit with it appearing that the extension has been constructed in accordance with Drawing No. 6042/2 Rev G which I understand was originally registered as a proposed drawing with planning application Ref. 7-2018-11748-C.

4. I therefore consider that the drawings marked as 'existing' are incorrect and I have determined the appeal on the basis that the appellant seeks to vary the extant planning permission in accordance with Drawing No. 6042/2 Rev G which was superseded prior to the determination of 7-2018-11748-C.

Main Issue

5. The main issue is the effect that the appeal proposal has on the character and appearance of the area.

Reasons

6. The appeal site is located within a quite highly prominent location with the rear elevation of the two storey flat roof extension clearly visible from the public Hawkwood Road Main car park. On inspecting the site and its surroundings I note that both nos 6 and 8 Westby Road have two storey flat roof projections to their rear elevations; albeit they appear to be of a lesser scale; and whilst it is not for me to comment on the appropriateness of these or otherwise, ultimately each case must be assessed on its own merits.
7. I consider that the omission of the approved pitched roof is a retrograde step from the permitted design, particularly bearing in mind the already significant projection from the original rear elevation of the host dwelling. Combined with its overall width and flat roof renders it very 'boxy' in appearance, and the proposal lacks a suitable aesthetic solution with it appearing incongruous within the locality and failing to amount to good design. I find this contrary to the Council's Residential Extensions – A Design Guide for Householders (2008) which requires proposals to maintain or enhance the character of the existing house and its setting, whilst ensuring subservience. The scheme is also contrary to Policy CS41 of the Bournemouth Local Plan Core Strategy (2012) and Policy BAP2 of the Boscombe and Pokesdown Neighbourhood Plan (2009) which both seek high standards of urban design requiring development to respect its site and surroundings through, amongst other things, scale, siting, character and appearance.

Conclusion

8. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR