



Appeal Decision

Site visit made on 2 November 2023

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13TH November 2023

Appeal Ref: APP/V1260/D/23/3328760

194 Windham Road, Bournemouth BH1 4QZ

- 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 N Walker against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2023-3827-B, dated 6 April 2023, was refused by notice dated 4 July 2023.
 - The development proposed is described on the application form as "Two storey rear and side extension".
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this appeal are:
 - The effect on the streetscene and the character and appearance of the locality.
 - The effect on the living conditions of the occupiers of the adjacent dwelling at 192 Windham Road, with particular regard to whether the development would appear oppressive.

Reasons

Character and appearance

3. The appeal concerns a two storey semi-detached dwelling. The gaps between the side walls of dwellings nearby in Windham Road are a noticeable feature of the streetscene despite some variation in the width. The space to the side boundary at first floor level above the existing carport at the appeal site is relatively wide, as is that at the neighbouring property, no. 192. In the context of such a relatively dense urban environment these gaps provide important visual relief, serving to avoid an overly developed appearance by enabling a sense of openness and views of the sky. These spaces make a positive contribution to the streetscene despite matters such as the differences in dwelling types, their sizes, layout and relationship that are found in the vicinity.
4. However, at first floor level, the proposed side extension would be set back only 0.5m from the side boundary with the adjacent semi-detached dwelling.

This would appear unacceptably restricted in relation to the side boundary itself. It would not therefore be rendered acceptable by the remaining more generous gap between the side of the neighbouring property and the mutual boundary. Moreover, it would abruptly contrast with this noticeably wider gap. In these circumstances the development would unduly erode the existing spaciousness and visual relief found in the vicinity, while being unacceptably at odds with the general standard of development and appearing cramped.

5. The ridge of the side extension would be set significantly below that of the main roof of the dwelling. The addition would be set back 0.5m at the front of the dwelling, as well as being inset from the side boundary. Nevertheless, even if it was accepted that the addition was clearly distinguished from and subservient to the host dwelling, the significantly reduced side gap would still unacceptably diminish the sense of spaciousness and visual relief. Moreover, the adverse effect would be readily apparent from the street, especially bearing in mind the fairly modest set back of the extension from the adjoining part of the front elevation.
6. For the above reasons, it is concluded that the proposed extension would harm the streetscene and the character and appearance of the locality. This would be contrary to Bournemouth Local Plan Core Strategy 2012, Policy CS41, which among other things, intends that the layout and siting of development should respect the site and surroundings.
7. The Council's Residential extensions, A Design Guide for Householders (RDG), September 2008, advises that side extensions should be at least a metre off the side boundary. It also indicates that in some cases the character of the street may require a greater distance, which can be particularly important if a two storey extension is proposed. In this case the 0.5m provided would therefore only be half of the minimum gap suggested. Given the detrimental reduction in spacing that would occur, the proposed development would be unacceptably at odds with the guidance in the RDG.
8. In the National Planning Policy Framework (The Framework) it is indicated that decisions should ensure that developments satisfy a number of considerations. These include that the proposed development should add to the overall quality of the area, as well as being visually attractive and sympathetic to local character, which would not be achieved in this case.

Living conditions

9. The neighbouring dwelling at 192 Windham Road has a ground floor kitchen window at the side that faces towards the flank of the house at the appeal site. The Appellant points out that because of the adjacent carport and boundary treatment this currently has a limited depth of outlook. However, the height of these is fairly modest and the two storey side wall of the host dwelling is set appreciably further back. Moreover, the extension would bring development at this height unacceptably closer to the adjacent window. In consequence, even having regard to the existing situation, the proximity, height and bulk of the addition would cause an undue degree of enclosure resulting in an unacceptably overbearing and oppressive appearance.
10. There would be no detrimental effect at no. 192 in relation to matters such as the rear windows, sunlight and overlooking. The lack of harm in these respects are neutral factors that weigh neither for nor against the development.

11. For these reasons, it is concluded that the living conditions of the occupiers of the adjacent dwelling would be harmed. As a result, there would be conflict with Bournemouth Local Plan Core Strategy 2012, Policy CS41, which seeks to prevent such adverse effects.

Conclusion

12. This is a case where harmful effects would arise in relation to the streetscene, the character and appearance of the locality and living conditions. There would be conflict with the development plan, the Council's RDG and the Framework. There are no other matters that would justify accepting the development and it is determined that the appeal fails.

M Evans

INSPECTOR