



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: 15th November 2023

Appeal Ref: APP/V1260/D/23/3329945

114 Saxonhurst Road, Bournemouth BH10 6JJ

- 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 Kevin Kanthan against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2023-28951-A, dated 18 July 2023, was refused by notice dated 15 September 2023.
 - The development proposed is described on the application form as "Single storey rear extension to replace and expand upon existing extension. Two storey side extension to increase first floor footprint".
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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 dwellings at 112 and 116a Saxonhurst Road with particular regard to whether the development would appear overbearing.

Reasons

Character and appearance

3. The appeal concerns a two storey semi-detached dwelling, which has its side elevation set back significantly from the boundary with no. 116a Saxonhurst Road. However, the proposed two storey enlargement at this side would leave only a particularly minimal gap to the fence. The Appellant points out that there would still be a distance between the boundary fence and the side wall of the adjacent dwelling of about 1.2m. Nevertheless, the side addition would appear unacceptably restricted in relation to the side boundary itself anyway. It would not therefore be rendered acceptable by the gap between the flank of the neighbouring property and the mutual boundary. Moreover, the distance at the appeal site would abruptly contrast with this significantly wider gap.

4. The extended dwelling would be unduly out of keeping with the general standard of spacing to side boundaries found in the vicinity, which is characterised by an attractive degree of openness and spaciousness deriving from this. Both that at the appeal site and at other properties nearby make a positive contribution to the streetscene. In consequence, the addition would appear overly dominant and cramped with the spaciousness found in the street being unacceptably diminished.
5. The Appellant refers to two storey side extensions that have been built elsewhere in the street and has provided photographs relating to the properties at 84-86 and 88-90 Saxonhurst Road. However, these are not in the immediate vicinity of the appeal site and, in any event, do not reflect the general standard. I do not have the full details and background to these cases anyway, including whether planning permission was granted and, if so, what the relevant policies were at that time. Furthermore, these illustrate the detrimental effect that such development can have and should not be used as a precedent for an addition that would erode the quality of the built environment. Consequently, they provide no meaningful support for the appeal.
6. For the above reasons and regardless of whether the pair of semi-detached dwellings including no. 114 would be unbalanced, it is concluded that the development would harm the streetscene and the character and appearance of the locality. There would be conflict with 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. The suggested distance of a metre is therefore a minimum. In this case the fairly vestigial gap remaining 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 proposed single storey rear extension would rise to a height noticeably above the boundary fences to either side, as well as being particularly close to them. Moreover, the depth of the addition, according to the Appellant, would be over 6m. By projecting alongside the boundaries with the neighbouring properties, the height, depth and proximity of the rear extension would result in it having an oppressive and overbearing appearance from the adjacent amenity spaces. This would be the case despite the flat roof profile and the distance to the house at no. 116a.
10. The Appellant suggests that an extension could be erected without the need for full planning permission. This would be relevant as a potential fall-back position. However, it is indicated that this development would have a lesser depth, albeit fairly modestly, than that the subject of this appeal. In

consequence, allowing this appeal would not result in the possibility of preventing an alternative development from proceeding that would be significantly more harmful. Because of this no meaningful weight in favour of the appeal can be afforded to this matter.

11. It is noted that the occupiers of the neighbouring dwellings have not raised any objections. However, this is not a matter that, in itself, confers acceptability and I must consider this appeal strictly on its own planning merits.
12. Given that the adjacent gardens are both north facing, the extension would not result in any unacceptable degree of overshadowing. Nevertheless for the above reasons, the development would appear overbearing and it is concluded that the living conditions of the occupiers of the adjacent dwellings 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

13. The possibility of reducing the width and depth of the single storey rear addition 'slightly' by means of a condition has been raised by the Appellant. However, even if it was possible for the effect on living conditions to be rendered acceptable on this basis, the appeal would fail anyway. This is because of the harm relating to character and appearance and the resultant conflict with the development plan, the Councils RDG and the Framework. There are no other considerations that would justify accepting the development and it is determined that the appeal fails.

M Evans

INSPECTOR