



Appeal Decision

Site visit made on 20 December 2023

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2024

Appeal Ref: APP/V1260/D/23/3314511

30 Evesham Close, Bournemouth BH7 7HN

- 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 Ms Zoe Hale against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2022-28743, dated 1 November 2022, was refused by notice dated 16 December 2022.
 - The development proposed is extension and garage conversion.
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Decision

1. The appeal is allowed and planning permission is granted for extension and garage conversion at 30 Evesham Close, Bournemouth BH7 7HN in accordance with the terms of the application Ref 7-2022-28743, dated 1 November 2022, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:
Site Plan : 22-75/005; Proposed floor plans : 22-750-003 A; Proposed elevations : 22-750/004 A and Proposed rear elevation : 22-750/006.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. Since the Council determined the application, an updated version of the National Planning Policy Framework, December 2023 has been issued. However, the changes this brings do not alter my findings in respect of this appeal.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of 28 Evesham Close.

Reasons

4. The appeal site is occupied by a modest, semi-detached 2-storey dwelling. The adjoining dwelling to the southeast of the appeal property is 28 Evesham Close. Both these properties are served by garages, which are located to the side and

- beyond their rear elevations. As such, the garage for 28 Evesham Close flanks part of its rear garden.
5. Similar to the appeal property, 28 Evesham Close incorporates a combined door and window unit at ground floor along its rear elevation. The window is relatively small in size. Therefore, the outlook this affords is limited.
 6. The proposal includes the conversion and alteration of the garage, and an extension to this and the rear of the dwelling to create a large family room and store.
 7. Despite its generous depth relative to the appeal property and 28 Evesham Close, these properties incorporate deep rear gardens. Consequently, the depth of the proposed extension would not be unacceptably excessive.
 8. The proposed extension would extend beyond the rear, and along the side boundary of 28 Evesham Close. However, the extension would be single storey with an eave's height not significantly higher than the existing shared boundary fence. Although the roof of the extension would be appreciably higher than the fence, because of its hipped design, this would slope away from the boundary of 28 Evesham Close. This, and the part flat roof design of the extension would limit its bulk and impact. Therefore, the proposed extension would not be unduly overbearing when viewed from 28 Evesham Close, including its rear garden.
 9. The extent of the proposed extension above the height of the existing boundary fence combined with the existing garage at 28 Evesham Close, is likely to increase the sense of enclosure associated with the section of garden nearest this property. Nevertheless, this would not unacceptably compromise the quality of this private area.
 10. I have also had regard to: The Residential Extensions: A Design Guide for Householders (2008) ('Design guide'). This advises on the use of the 45-degree line in determining the effects of a proposal in respect of outlook and overshadowing.
 11. In plan form, the proposed extension would extend beyond the 45-degree line taken from the rear window of 28 Evesham Close. Despite this, any limited outlook from the small rear window at this property is already affected by the existing boundary fence. As such, and for the above reasons, the proposed extension would not unacceptably impact on outlook from this window, over and above the extent of the existing boundary fence.
 12. Any overshadowing impact of the proposed extension on the neighbouring window is assessed by considering the 45-degree line in both plan and elevation forms. Due to its roof design, the proposed extension, would not breach the 45-degree line in elevation form. Because of this and the orientation of the proposed extension relative to the rear window at 28 Evesham Close, there is unlikely to be any significant overshadowing.
 13. As already stated, the proposal includes the conversion of the garage at the appeal property. The Council has not raised any specific concern in respect of this. I have also considered this and have no reason to disagree.
 14. For the above reasons, the proposal would not have any unacceptable effect on the living conditions of the occupiers of 28 Evesham Close. Accordingly, I find

no conflict with Policy CS41 of the Bournemouth Local Plan: Core Strategy, which along with other things seeks to safeguard the amenities of neighbouring residents.

Conditions

15. I have proposed the standard timescale condition for the implementation of the permission and a condition specifying the relevant plans and drawings as this provides certainty. To ensure the satisfactory appearance of the development hereby permitted, I have specified a condition requiring the materials used in the construction of this match those used in the existing building.
16. Because no hard surfacing is proposed, it is not necessary or reasonable to impose the Council's suggested condition relating to the drainage of such surfaces.

Conclusion

17. For the above reasons, I conclude that the appeal should be allowed.

M Aqbal

INSPECTOR