



Appeal Decision

Site visit made on 14 May 2024

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 19 June 2024

Appeal Ref: APP/V1260/D/24/3341613

34 Hengistbury Road, Bournemouth, Dorset, BH6 4DQ.

- 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 Clive Mace against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2023-11497-D, dated 10 November 2023, was refused by notice dated 5 January 2024.
 - The development proposed is to replace garage with annex for dependant relative.
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Decision

1. The appeal is allowed and planning permission is granted to replace garage with annex for dependant relative at 34 Hengistbury Road, Bournemouth, Dorset, BH6 4DQ in accordance with the terms of the application, Ref 7-2023-11497-D, dated 10 November 2023, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) 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.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: P001, P002, P003, P004 and P005.
 - 4) The annexe hereby permitted shall not be occupied and/or used other than for purposes ancillary to the residential use of the dwelling at 34 Hengistbury Road, Bournemouth, BH6 4DQ and shall not be used at any time as a separate unit of living accommodation or sublet to a non-family member.

Main Issue

2. I consider the main issue to be whether the proposed development would be in keeping with and remain ancillary to the host property and thereby its effect on the appearance of the street scene and character of the wider area.

Reasons

3. The appeal property, 34 Hengistbury Road, is a four-bedroom detached chalet bungalow located on the corner of Hengistbury Road and Cellars Farm Road.

There is a detached double garage located to the rear of the dwelling fronting on to Hengistbury Road.

4. The appellant proposes to replace an existing double garage with a new separate annexe for a dependant relative. The proposed annexe would comprise a kitchen/dinner, bedroom, study/office and a shower room. It is proposed that the occupant would utilise the living room in the host property and share the existing outside amenity space with its occupants. Parking for two-vehicles to serve the host property would be provided on the existing parking forecourt area in front of the annexe.
5. I note from the evidence that the proposed annexe would be approximately 7.0 square meters bigger than the present garage at 38.3 square meters, measured over the external walls.
6. The annexe would be located within the curtilage of the dwelling. However, it would face on to the road and not the host dwelling. As the existing garage it would be separated from the rear garden by a substantive masonry wall.
7. The Bournemouth Borough Council's Residential Extensions: A Design Guide for Householders-PGN (Adopted September 2008) is a material; consideration but it is only guidance, and it should not be applied to each and every property prescriptively to the exclusion of all other factors, including physical circumstances and context of a site. At paragraph 3.8 it requires, amongst other things, that *if the annexe is to be a separate structure this must remain subservient to the existing property and be of a suitable scale for its purpose, overly large buildings will not be considered acceptable*. It goes on to say that *creating an independent dwelling within the curtilage of an existing house is rarely viewed favourably and if planning permission is granted for an annexe conditions will be used to ensure that the structure is not used as an independent home*.
8. The Council contend that although single storey and only having slightly larger footprint than the existing double garage it would, because of its ridge height of 4.0 metres appear overly large, not be subservient and have the appearance of a standalone dwelling as opposed to an ancillary outbuilding.
9. I appreciate that appearance of the building when viewed from the street will change, mainly due to the proposed style and scale of the openings. Accordingly, it will no longer appear as a detached double garage. Nevertheless, I am not persuaded that the modest increase in height and the small addition in floor area would result in the annexe as designed appearing either overly large in itself, or no longer appearing subservient in scale or appearance to the host property. Furthermore, I am not convinced that the annexe would appear so cramped as to cause harm to the appearance of the street scene or the wider area.
10. The annexe with a given floor area of just 30.8 square metres for a one bedroom/one person dwelling would be relatively small compared to the 37/39 square metres prescribed in the Technical Housing Standards-Nationally Described Space Standard (March 2015). Further, no amenity space, other than a parking forecourt is to be provided, and this would be for the retained parking of number 34. These considerations would therefore indicate a degree of dependency on the host property.

11. I consider for the foregoing reasons, that subject to a condition to ensure that the annexe cannot be used as an independent home in accordance with the Council's Residential Extensions: A Design Guide for Householders-PGN (Adopted September 2008) adopted Design Guide for Householders, that the proposed development would be in keeping with and remain ancillary to the host property and thereby it would not cause harm to the appearance of the street scene and character of the wider area. To allow it would therefore accord with the objectives of Policy CS41 of the Bournemouth Local Plan: Core Strategy (Adopted October 2012), the provisions of the Council's Residential Extensions: A Design Guide for Householders-PGN (Adopted September 2008) and the National Planning Policy Framework.

Conditions

12. The conditions follow from those suggested by the Council. To ensure a high-quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building.
13. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.
14. In addition, I will also include a condition to ensure that the annexe is not used as an independent home.

Conclusions

15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR