



Appeal Decision

Site visit made on 18 November 2024

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2024

Appeal Ref: APP/V1260/D/24/3351354

69 Holdenhurst Avenue, Bournemouth, Dorset, BH7 6RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs M R Babaei against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref is 7-2024-28445-F.
 - The development proposed is the erection of a single storey side extension to create a new double garage and gym, new boundary walls and driveway from Holdenhurst Avenue.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of proposed works as set out within the planning application form refers to the scheme being a revised application and in part consists of existing unauthorised work.
3. The appeal site comprises a detached house in a residential area to the south east of the junction of Holdenhurst Avenue with Ovington Road; a garage accessed via the latter road which previously served the appeal dwelling now forms part of a plot sub-divided from the appeal site. It is not for me to speculate on the intentions of the owner of this plot, but to assess the appeal proposal on its merits.
4. A pedestrian gate with piers either side is located to the southern end of the front boundary, adjacent to 67 Holdenhurst Avenue. This has been installed along with a brick wall and piers with grey boarding infill sections constructed across the frontage, the boundary then tapers where the aforementioned two roads meet and an open access is currently provided forming a driveway in front of where the proposed garage would go. This would be blocked up and a new vehicular access created where the pedestrian gate is currently located.
5. The Holdenhurst Avenue frontage wall currently returns towards the north flank elevation of the house to enclose its front garden area, the proposal would see this element removed in order to create an open driveway area. In addition, the recently constructed wall continues along the Ovington Road boundary which in totality is the subject of an Enforcement Notice served on 16 July 2024, although the wall itself does not centre within the Council's assessment of the overall scheme in respect of impacts upon the character and appearance

of the area, neither is it specifically referred to within the reasons for refusal. I have determined the appeal on this basis.

Main Issues

6. The main issues are the effect of the proposed garage and gym extension upon the character and appearance of the area; and the effect of the proposed new vehicular access upon highway safety.

Reasons

Character and Appearance

7. I note the Council's concerns with regard to the overall dimensions of the proposed garage and gym extension, however when viewed in combination with the host dwelling, I consider that by virtue of its single storey form and width it would appear as a subordinate addition. Consequently, I consider it would not dominate the existing building. I acknowledge that it would be constructed relatively close to the Ovington Road boundary and this would in effect breach a notional building line formed by houses fronting the southern side of Ovington Road, including that of 44 Ovington Road immediately to the east. However the Council has not highlighted any specific prevailing pattern of development that should be maintained simply by stating that the proposal would result in a dominant extension which fails to contribute positively to local character.
8. I find no conflict between the scheme and the Council's Design Guide for Householders (2008) and specifically its basic principle 2. I therefore consider that the proposal complies with Policy CS41 of the Bournemouth Local Plan: Core Strategy adopted October 2012 (Core Strategy) which seeks to ensure that all development and spaces are well designed and of a high quality and that development should, through its scale, density, layout, siting, character and appearance, be designed to respect the site and its surroundings.

Highway Safety

9. As highlighted above there are a number of revisions sought to the existing boundary treatment layout, including that of the point where vehicles access the site from the public highway. I acknowledge that if the former garage plot, adjacent to 44 Ovington Road has been hived off from the appeal site then the provision of a new vehicular access should be assessed on its own merits. However, neither the proposed site plan or the proposed ground floor layout identify pedestrian visibility splays for the new access point adjacent to 67 Holdenhurst Avenue.
10. By virtue of the height of the piers shown to be provided either side, I consider that these would adversely affect the visibility of drivers of vehicles leaving the site of users of the footway. As highlighted by the local highway authority inadequate visibility from private driveways increases the potential for conflict between vehicles egressing driveways and pedestrians, children, pushchairs, people with mobility issues and the elderly thereby leading to conditions prejudicial to highway safety and local amenity.
11. The proposal would also give rise to the need to widen the vehicular crossover where currently a grass verge is situated. However, overall I consider that this would not have a detrimental effect upon the character and appearance of the

street scene and provided that there were adequate pedestrian visibility, I consider that the increase in width of the crossover would not likely give rise to a material increase in conflicts. However, notwithstanding this, the proposed boundary treatment directly adjacent to the proposed vehicular access would provide inadequate driver/pedestrian inter-visibility to the detriment of users of the public footway, contrary to the National Planning Policy Framework that seeks safe and suitable access for all and Core Strategy Policy CS18 which aims to increase opportunities for walking, and that new development should not compromise any existing walking network in spite of the fact that the site may be over 325m from the nearest school.

Conclusion

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

C J Tivey

INSPECTOR