
Appeal Decision

Site visit made on 6 December 2016

by R J Marshall LLB DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 December 2016

Appeal Ref: APP/G1250/W/16/3155818
47, Markham Road, Bournemouth, Dorset BH9 1HZ

- 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 and Mrs Deedman against the decision of Bournemouth Borough Council.
 - The application Ref 7-2016-10759-M, dated 17 February 2016, was refused by notice dated 19 May 2016.
 - The development proposed is extend and convert existing double garage to form a bungalow with parking for one car.
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Decision

1. The appeal is dismissed.

Background

2. One of the reasons on which planning permission was refused was the absence of a financial contribution towards mitigation measures necessary to prevent harm to the Dorset Heathlands Special Protection Area (SPA). The appellant has subsequently submitted a Unilateral Undertaking making the required contribution. In the absence of evidence to the contrary I take it that this overcomes the Council's concern on this point. Another of the reasons on which the Council refused permission, the absence of an affordable housing contribution, has since been withdrawn. This is reflected in my choice of main issues below.

Main Issues

3. The main issues in this appeal are: **first**, the effect of the proposed development on the character and appearance of the surrounding area; **second**, whether the proposed development would provide satisfactory living conditions for its future occupants; **third**, the effect of the proposed development on the living conditions of those in the ground floor flat at No. 47 Markham Road; and **fourth**, whether there would be harm to highway safety and the free flow of traffic.

Reasons

Character and appearance

4. The appeal site lies within an established residential area primarily of Victorian/Edwardian style detached houses. No. 47 Markham Road is one such

property, albeit it has been converted into flats. As part of this conversion it has been extended at first-floor level to the side. A narrow driveway beneath this extension leads to the rear garden. At the back end of the garden lies a fairly large double garage with a pitched roof.

5. The proposed development is to convert and extend this garage into a single bedroom bungalow. The extensions would come forward of the existing garage and to the side. They would add considerably to the bulk and footprint of the appeal building and would lead to it occupying almost the full width of the plot. As such it would appear unduly cramped and congested, even with its partially hipped roof design, and out of accord with the more spacious back garden setting in which the appeal site lies. Although the extended building would not be greatly seen from the highway it would be seen from adjoining properties to an extent that this harm would be clearly apparent.
6. The existing garage is not a particularly attractive building. However, this does not stand in favour of the proposal given that the extended building, with its uncomfortable mix of roof styles, and use of weatherboarding on the front elevation out of keeping with building materials in the locality, would in itself be an unattractive structure.
7. The appellants have referred to some other permissions in the area in support of their proposal. However, there is no indication that they are similar to the proposal before me in way that would justify giving them substantial weight
8. It is concluded that the proposed development would detract from the character and appearance of the surrounding area. It would conflict with Policy CS 41 of the Bournemouth Local Plan: Core Strategy (CS) (2012) in so far that it requires new development to be well designed and respect its surroundings.

Living conditions of future occupants

9. The proposed development would be served by 2 open amenity areas. An area to the rear would be far too small and dominated by fencing and a neighbouring tree for it to provide useable open space to any meaningful degree. An area forward of the proposed bungalow would provide a reasonably substantial open area. However, it would be overlooked from the first and second floor maisonette at No. 47 Markham Road to an extent that would seriously detract from the privacy of anyone seeking to enjoy the space. It would also be possible to see into the dining room of the proposed bungalow, through its large French window, from the maisonette. The appeal site is not large enough for planting to be undertaken to adequately limit the potential for overlooking without unduly hemming in the front elevation of the proposed bungalow.
10. It is concluded that the proposed development would fail to provide satisfactory living conditions for its future occupants with special reference to privacy. It would conflict with CS Policy CS 41 in so far as it seeks to protect the amenities of future residents.

Living conditions for those at No. 47 Markham Road

11. A ground floor flat at No. 47 appears to be accessed from a door within the vehicle passageway leading to the rear of the site. The site also appears to have windows facing onto this passageway. However, development of the small-scale proposed is unlikely to give rise to a level of pedestrian activity to

the rear of the site that would cause undue harm through noise and disturbance to those in the existing flat.

12. It is concluded that the proposed development would not detract from the living conditions of those in the ground floor flat at No. 47 Markham Road with special reference to noise and disturbance. There would be no conflict with CS Policy CS 41 insofar as it seeks to protect the amenities of existing residents.

Highway safety and free flow of traffic

13. The Council's concern on this issue arises from its view that inadequate on-site provision would be made for car parking and that this would lead to parking on the highway. CS Policy CS 16 requires parking provision in new development to be in accordance with the Council's adopted parking standard as set out in its Parking Supplementary Planning Document (SPD) (2014). For development in this area of the size and type proposed this document requires 1.4 on-site parking spaces.
14. One parking space towards the rear of the site would be provided for the proposed development. In the absence of substantial evidence from the Council as to why this should be rounded up to 2 spaces, as alleged, I take this to near enough meet the Council's standard.
15. Account also has to be taken, however, of the potential loss of car parking spaces on site. In the appellants' Design and Access Statement (DAS) it is said that there are no allocated spaces on-site for the 2 maisonettes but that the ground floor flat has an allocated space on the front forecourt. However, the appellants live in one of the maisonettes and it seems most unlikely that they do not have the facility to park on the site either in the garage, which is to be converted, or the land forward of it, which would be made over for parking for the proposed development. In all likelihood, therefore, there would be the loss of 1 parking space.
16. Whether this would be harmful to highway safety and the free flow of traffic would depend on the level of on-street parking in the vicinity of the site. On Markham Road and roads nearby on-street parking is largely unrestricted. The appellant says that there is a good level of parking Markham Road at all times of the day. However, this is unsupported by substantial evidence. The Council has undertaken a detailed survey showing that in Markham Road and the nearby Abbott Road there were within 50 metres of the site only 2 spare spaces and within 100 metres only 3 spare spaces. When I saw the site on-street parking levels were not as high, though the nature of the area with fairly dense housing and limited on-site parking makes it likely that at some times on-street parking will be at or near the level found by the Council. Even then, however, it would seem that there would be a reasonable likelihood of at least a few parking spaces remaining available. And although the Council's evidence shows some roads in the vicinity suffering from blockages and anti-social parking, including parking partially on the pavement, this was not shown to be the case on Markham Road in the vicinity of the site.
17. The frontage parking space for the ground floor flat may not fully accord with the Council's size requirement. However, from what I saw it could accommodate a car without encroaching onto the pavement.

18. It is concluded, on balance, that the proposed development would not be harmful to highway safety and the free flow of traffic even though conflicting with CS Policy CS 16 on parking provision.

Other matters

19. In providing a bungalow the proposed development would add to the mix of housing in the area as encouraged by the National Planning Policy Framework.

Conclusion

20. I have found no harm to highway safety/free flow of traffic and to the living conditions of existing residents in the ground floor flat. There might also be some benefit in the provisions of a new bungalow on the grounds given above. However, I have found substantial harm in relation to the first 2 main issues. And it is this that I find decisive.
21. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR