

Appeal Decision

Site visit made on 3 January 2017

by Robert Parker BSc (Hons) Dip TP MRTPI

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

Decision date: 8 February 2017

Appeal Ref: APP/E1210/W/16/3156271
6-12 Wharncliffe Road, Highcliffe BH23 5DD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by AJ Developments Ltd against the decision of Christchurch Borough Council.
 - The application Ref 8/16/0183, dated 18 March 2016, was refused by notice dated 26 July 2016.
 - The development proposed is demolition of existing buildings and erection of 6 no. 3-bed houses and 3 no. 4-bed houses.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with details of access, scale and layout for consideration at this stage. I have dealt with the appeal on that basis, treating the appearance of development on the submitted plans as illustrative.

Main Issues

3. The main issues in this case are:
 - a) the effect of the proposed development on the character and appearance of the area; and
 - b) the effect on the living conditions of the occupiers of the bungalows backing onto the site in Elmwood Way (numbers 7 to 10 inclusive) with particular reference to privacy and outlook.

Reasons

Character and appearance

4. The appeal site comprises four detached bungalows fronting onto Wharncliffe Road. To the rear of the site there is a cul-de-sac of similar bungalows on comparable sized plots. Together these properties form a block of fairly homogenous low rise development. The surrounding area is residential in character but contains a wide variety of dwelling types and architectural styles. Opposite the appeal site I saw a pair of 4-storey blocks of flats set within mature landscaped grounds, plus a large contemporary dwelling. Immediately adjacent to the east is a recent development of 2½ storey apartments. Continuing further
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along the road towards the beach car park the street frontage is mainly characterised by 2-storey houses, most of them individually designed.

5. My observations confirm that the character of the area is mixed, both in terms of scale of the buildings and their appearance. Although the run of properties is continuous along both sides of the road I saw that there are gaps between the buildings, particularly at first floor level. This creates a feeling of space.
6. In my opinion, dwellings of the scale being proposed would not appear out of keeping in the street scene of Wharncliffe Road. As I have explained above, many nearby buildings are of comparable height or taller. Moreover, there is no reason in principle why this type of development cannot back onto bungalows in a different street, subject to there being sufficient separation distance between them. I shall return to this under the second main issue.
7. Where the scheme does fall short is in its density. The individual plots would be noticeably narrower than others in the locality and the close spacing of buildings would be at odds with the general character of the street which is altogether more spacious. The net result would be a development which appears unduly cramped.
8. Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 – Core Strategy (2014) (CS) requires high quality design which is compatible with or improves its surroundings in respect of matters such as layout and visual impact. Policy LN2 of the CS seeks to maximise the density of development but on the proviso that it does not conflict with local character and distinctiveness. Saved Policy H12 of the Borough of Christchurch Local Plan (2001) (LP) states that residential development will be permitted subject to, amongst other things, it being appropriate in character and design to the immediate locality.
9. In failing to respect the prevailing density and grain of development in Wharncliffe Road the proposal would cause material harm to the character and appearance of the area. Accordingly, I find that it would conflict with the aforementioned development plan policies.

Living conditions

10. As I have explained above, the proposed development would back onto the bungalows in Elmwood Way. During my visit and with the permission of the householders I was able to assess the proposal from the rear gardens of numbers 7, 8 and 9. The gardens of these properties are relatively shallow and there is a pleasing sense of openness and seclusion which is the direct consequence of adjoining development on Wharncliffe Road being single storey. Windows in the neighbouring bungalows are screened from view by vegetation and boundary fencing and therefore there are no real opportunities for overlooking.
11. The new dwellings would be substantially taller than the bungalows they would be replacing and in some cases twice the height. Their rear walls would be on a similar alignment to existing, which means that they would be in the region of 8 metres from the shared boundary. At this proximity the height and mass of the dwellings would be unduly imposing for the residents of Elmwood Way. The absence of any significant gaps between dwellings would create an oppressive wall of near-continuous built form which would lead to a harmful sense of enclosure.

12. The appellant argues that existing vegetation on the boundary would provide adequate mitigation but in my view this does not make the scheme acceptable. The planting would not screen the development and its retention cannot be guaranteed.
13. Whilst appearance is a reserved matter the plans show first floor bedroom windows in the rear elevations. Existing planting would not prevent overlooking of the gardens in Elmwood Way. Additionally, the back-to-back separation distance between the buildings would be insufficient to prevent loss of privacy within the bungalows themselves.
14. I therefore conclude that the proposed development would be unacceptably intrusive for the residents of Elmwood Way. It would be materially harmful to their living conditions and as such the scheme would conflict with Policy HE2 of the CS and saved Policy H12 of the LP insofar as they seek to ensure that the residential amenities of existing occupiers of dwellings are not adversely affected by loss of privacy, and that development is compatible with its surroundings in relationship to nearby properties.

Other Matters

15. The appellant has provided a completed s106 unilateral undertaking which would secure a financial contribution to mitigate the adverse effect of the proposal on the integrity of European protected sites. However, this does not address my fundamental concerns about the scheme and thus has not had a significant bearing on my decision.
16. Local residents have expressed fears regarding the highway safety implications of the proposed parking arrangements which would necessitate vehicles reversing into or out of driveways. This situation would be partly symptomatic of the cramped layout. The majority of other properties in the locality have room for vehicles to turn within the site and exit in forward gear. Notwithstanding this, there is no compelling evidence to demonstrate that the appeal scheme would give rise to an unacceptable highway safety risk. Accordingly, I have no reason to disagree with the no objection stance of the Highway Authority.
17. I have taken account of all other matters mentioned in representations, including the concerns regarding traffic generation, loss of retirement bungalows, effects on local services and protected trees, and precedent. However, based on the information before me these matters would not constitute reasons to dismiss the appeal.

Conclusion

18. For the reasons given above, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR