
Appeal Decision

Site visit made on 6 April 2017

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

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

Decision date: 03 May 2017

Appeal Ref: APP/G1250/W/17/3166451
30 Cromwell Road, Bournemouth BH5 2JN

- 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 St. Gresham Ltd. against the decision of Bournemouth Borough Council.
 - The application Ref 7-2016-4936-N, dated 2 September 2016, was refused by notice dated 2 November 2016.
 - The development proposed is construction of new pitched roof above the rear part of the building, including dormer windows and roof lights; use of new floor space as open plan office.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - i) the character and appearance of the surrounding area;
 - ii) highway safety in respect of provision for car parking;
 - iii) the living conditions of the occupiers of No 28 Cromwell Road in respect of outlook.

Reasons

Character and appearance

3. The site is located in a primarily residential area, comprising a variety of generally two storey dwellings which in the immediate vicinity are set close to the street. The adjacent flatted development of Gainsborough Court is an exception in that it is set back from the street.
 4. The appeal site is a currently vacant two storey commercial property located in a prominent position at the junction with Ashbourne Road. Contributing to that prominence is its forward position abutting the footway and significantly exposed east side elevation. The latter is due largely to the set back of the Gainsborough Court flats from the road and their degree of separation from No 30.
 5. Despite its commercial use, the front pitched roof part of the building has a pleasing largely non-utilitarian appearance with a scale, materials and design
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features that enable it to comfortably blend in with its residential setting. The large two storey rear part of the building has a more utilitarian appearance in terms of its massing and flat roof design. However, because of that flat roof, it has a degree of subservience to the more distinctive front part of the building, such that it is not a dominating feature of the building when seen from the street.

6. The proposed roof extension to the rear part of the building would project noticeably higher than the front element of the building, and extend directly back from and above its existing pitched roof. Furthermore, the roof slope of the majority of the extension would be noticeably steeper than that existing roof. As such that rear part would no longer appear as a subservient element to the building. Importantly, it would be clearly seen as such from both Cromwell Road on the approach from the east and to a lesser extent from the opposite side of the road and Ashbourne Road. It would be a bulky addition that would draw the eye disproportionately away from the currently pleasing relationship that the existing front part of the building has with the residential scale and nature of development in the general street scene. As such, despite the proposal for the roof tiles to match those existing, it would be a dominant, incongruous and jarring feature of that street scene.
7. The windows of the proposed dormers on the eastern side of the extension would also be noticeably larger in terms of their height than those existing on the first floor. This would further draw attention to the disproportionate and bulky nature of the proposal.
8. There is a large mature tree to the side of No 30, close to the road which would provide a degree of softening or screening of that side elevation from the east. However, that would be mainly in the summer months and significantly less so with the leaves off in the winter. Furthermore, the long term health and retention of that tree could not be guaranteed in terms of continuing that function.
9. I have had regard to the appellant's comparisons with the height and design of those neighbouring buildings of No 30a immediately to the rear of the site and those blocks relating to Gainsborough Court. This includes reference to an appeal scheme, Ref APP/G1250/W/16/3154345, relating to one of those blocks where increased roof form and the inclusion of dormers was not a matter of concern. Another of the blocks referred to, further from the road, has a third storey within the roof and includes dormers. However, those buildings are all noticeably set back from the road to varying degrees unlike No 30. Furthermore, their individual designs have a high degree of consistency in terms their architectural features. The roof top level of No 30a is also only of a similar level as that of the existing flat roof of No 30. The circumstances of those other buildings are therefore different to those of the appeal scheme.
10. For the above reasons, I conclude on this issue that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. As such, in respect of this issue, it would be contrary to policy CS41 of the Bournemouth Local Plan: Core Strategy (the Core Strategy) which, amongst other things, requires all development to be designed to respect the site and its surroundings.

Highway safety

11. Policy CS16 of the Core Strategy requires parking provision for new development to be in accordance with the Council's adopted parking standards set out in the Council's Parking Supplementary Planning Document (SPD). Additionally, policy CS41 requires, amongst other things, all development to contribute positively to the safety of the public realm. The SPD takes account of the accessibility of the parking zone concerned. Therefore, regardless of the proximity to the nearest district centre, other centres and to public transport, in this case the SPD shows that there would be a demand for two car parking spaces resulting from the proposed development. No on site car parking is proposed and so this demand would be displaced onto the surrounding streets.
12. Although in an accessible location, it cannot be assumed that all of those working at the site would either live close enough to walk to the site or be able or willing to use public transport or cycle, despite the proposed higher level of cycle parking on the site than would normally be required. I do not consider that the large amount of cycle parking would provide adequate compensation for no on-site car parking. Likewise, a Green Travel Plan, whilst having the potential to encourage sustainable travel, could not guarantee no additional car usage, and I have not received any substantive evidence relating to any means of doing so.
13. The Highways officer has observed and photographically recorded the heavily parked streets on a week-day in the early afternoon in the vicinity of the site. This was also before the introduction of some additional parking restrictions which I saw had been implemented. That record also shows some cars parking partially on the footways along Cromwell Road. Although it was a snapshot, I saw a similar situation at my site visit, albeit again a snapshot observation. The Council has also highlighted this problem in terms of a number of obstructions reported to the police between 2011 and 2015, including from parked vehicles. I have also had regard to the appellant's photographic evidence showing some availability of on-street parking space. However, it is unclear as to what time of day this was undertaken and in any case also shows some vehicles parked on the footway.
14. I have also had regard to that appeal decision referred to above relating to provision of 10 additional flats at the adjacent Gainsborough Court which was dismissed partially in relation to concerns about some existing on-site parking spaces becoming unusable and resulting in displacement onto the surrounding streets. I acknowledge that it related to 10 flats and therefore higher potential car numbers than the current appeal scheme. However the concern was that some of the on-site parking would be unlikely to be used, not all of it. Furthermore, my colleague in that case accepted the Local Highway Authority's view that there was little spare capacity for any displaced parking. This is therefore a material consideration. There could also be no guarantee that because it relates to an employment use, people travelling by car to the current appeal site would necessarily be willing to park significantly further away in order to find an appropriate parking space.
15. For the above reasons, the addition of even two additional cars parked on the currently already heavily parked streets could lead to indiscriminate and inappropriate parking such as on the footway and close to junctions. This would have the potential to obstruct pedestrians, visibility splays and cause

unexpected manoeuvres resulting in the potential for collisions between vehicles.

16. I therefore conclude on this issue that the proposed development would pose a risk to highway safety in respect of provision for car parking. As such, in respect of this issue, it would be contrary to policies CS16 and CS41 of the Core Strategy.

Living conditions

17. The existing building at No 30 already extends beyond the rear elevation of the outrigger of No 28, in close proximity to that property, and so inevitably has some existing degree of overbearing and enclosing effect to the immediate rear of that property due to its two storey height. The proposed development would project significantly above the height of No 30's existing flat roof. However, the extent to which this would exacerbate the existing situation would be minimised by the slope, albeit steep, of the proposed roof away from that property. As such it would be unlikely to materially worsen that existing situation.
18. For the above reasons, I conclude on this issue that the proposed development would not cause unacceptable harm to the living conditions of the occupiers of No 28 Cromwell Road in respect of outlook. As such, in respect of this issue, it would accord with policy CS41 of the Core Strategy which, amongst other things, requires development not to be detrimental to amenity.

Conclusion

19. I have found that the proposed development would not cause unacceptable harm to the living conditions of the occupiers of No 28. However, this does not deflect from the unacceptable harm that I have found would be caused to the character and appearance of the surrounding area and the risk that would be posed to highway safety.
20. Therefore, for the above reasons, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR