
Appeal Decision

Site visit made on 28 March 2018

by Rory Cridland LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 27 April 2018

Appeal Ref: APP/G1250/W/17/3183875
27 Brockley Road, Bournemouth BH10 6JN

- 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 Mrs A Cains, D Cains and Mrs D Bugler against the decision of Bournemouth Borough Council.
 - The application Ref 7-2017-10053-D, dated 6 October 2016, was refused by notice dated 11 May 2017.
 - The development proposed is alterations to existing dwelling and severance to form additional dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline, with matters relating to appearance and landscaping reserved. I have dealt with the appeal on that basis, treating all plans as illustrative, except where they deal with matters of scale, layout and access.
3. Part E of the appeal form indicates that the description of development has changed. Although neither of the main parties has provided written confirmation that a change to the description has been agreed, the amended description accords with the one used by the Council in its decision notice and more accurately describes the development proposed. Accordingly, I have used it in the banner above.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

5. The appeal site is located on the corner of Brockley Road and Broadhurst Avenue. Brockley Road is characterised by mostly modest bungalows set back from the highway with regular spacing between the properties. It exhibits a strong building line and there is a general sense of uniformity in the spacing of the dwellings except at the appeal site where the separation gap between itself and neighbouring No 25 is much greater. The appeal site itself currently consists of a detached bungalow with hipped roof set back from the road. It is in keeping with the other bungalows along Brockley Road and its siting in line

with the properties along Broadhurst Avenue helps ensure that it integrates well into its wider surroundings.

6. The proposal would involve the partial demolition of the existing ground floor extension and the erection of a new detached bungalow in what is essentially its side garden area. It would be sited in close proximity to the existing dwelling and, while I acknowledge would be of a comparable scale and appearance to those nearby, would result in a much smaller separation distance than is the norm along this part of Brockley Road. Although I note this close proximity is intended to ensure each has a more generous garden area, when juxtaposed against the more uniform separation gaps of the neighbouring properties, the site would appear cramped and out of keeping with its surroundings. This would fail to promote local distinctiveness and would be harmful to the character and appearance of the surrounding area.
7. Moreover, due to the curve in the road, part of the proposed new dwelling would be sited forward of neighbouring No 25 and appear to jut out to the front of the existing building line. This would result in an incongruous addition to the street scene which would be particularly noticeable when approaching the site from the south west. This would exacerbate the harm identified above.
8. Consequently, I find the proposal would be harmful to the character and appearance of the surrounding area and would fail to promote local distinctiveness. As such, it would be in conflict with Policies CS22 & CS41 of the Core Strategy¹ as well as with Saved Policy 6.8 of the Bournemouth District Wide Local Plan (2002), all of which seek to guard against such harm.

Other Matters

9. The appellant has made references to a number of nearby properties where it is argued a precedent has been set in respect of separation distances. However, although I do not have full details, from the information provided and my on-site observations, I am satisfied that none are sufficiently similar in either size or impact to provide a justifiable precedent. In any event, each development should be considered on its own merit and that is the approach I have adopted in determining this appeal.
10. The reasons for refusal set out in the decision notice refer to the impact that the proposed development would have on the Dorset Heathlands Special Protection Area, RAMSAR Site and Dorset Heath Special Area of Conservation. I note that the appellant has indicated a willingness to enter into a planning obligation to secure the necessary mitigation. However, no obligation has been submitted as part of this appeal. If the circumstances leading to the grant of planning permission had been present, in the absence of any secured mitigation measures, it would have been necessary to give further consideration to the impact of the proposal on these protected areas. However, I have found above that the proposal would conflict with a number of development plan policies and accordingly, I am satisfied that no such assessment is required.
11. While I note the various positive aspects of the development and its conformity with other policies set out in the development plan, as well as the lack of

¹ Bournemouth Local Plan: Core Strategy (2012).

objection from neighbouring occupiers, these do not overcome the harms identified above.

Conclusion

12. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR