
Appeal Decision

Site visit made on 5 February 2019

by P W Clark MA(Oxon) MA(TRP) MRTPI MCMI

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

Decision date: 28 February 2019

Appeal Ref: APP/G1250/W/18/3205623

19A Wimborne Road, Bournemouth BH2 6LZ

- 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 Mr Paul Bloomfield of Holton Homes against the decision of Bournemouth Borough Council.
 - The application Ref 7-2018-441-AF, dated 29 January 2018, was refused by notice dated 9 April 2018.
 - The development proposed is demolish house and replace with a new development of 5Nº 3 bedroom houses with associated parking.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application is made in outline but only landscaping is reserved as a matter for subsequent consideration. This decision therefore considers access, appearance, layout and scale as part of this appeal.

Main Issues

3. There are four. They are the effects of the proposal on;
 - The character and appearance of the area
 - The living conditions of residents at 6 The Deans
 - Highway safety
 - The Dorset Heathlands SPA and Ramsar site and the Dorset Heaths SAC

Reasons

Character and appearance

4. The appeal site adjoins the Dean Park Conservation Area. The significance of this heritage asset is that it protects what the Council's Residential Development Design Guide describes as a Character Area of large detached Bournemouth villas. But the setting in which this heritage asset is experienced is the general fabric of the surrounding residential area which, as the Council's report on this proposal notes, comprises a wide range of building types including single dwellings, flat conversions and purpose built blocks of flats. In these circumstances therefore, the protection of the designated heritage asset

which is required by policy CS39 of the Bournemouth Local Plan Core Strategy (the Core Strategy) adopted October 2012 places no special demands on the character or appearance of the appeal site through its proximity to the Conservation Area over and above the normal requirement of compliance with the Core Strategy's policies CS21 and CS41 which expect a development to be of good design, respecting its site and surroundings, contributing positively to the character of a neighbourhood, maintaining and enhancing the quality of the street scene and with policy 6.8 of the Bournemouth District-Wide Local Plan (the Local Plan) which requires infill development to complement and respect local character.

5. Immediately adjoining the site are terraced houses; The Deans to the rear and Copper Beeches to the south so the concept of a terrace on this site would not be out of character. Its separation from the boundaries at the side would be consistent with others in the area. Its proposed materials of buff brick would be compatible with those of Copper Beeches, with which it would be most closely seen. Its roof form (a hipped gable) would differ from the full gables of Copper Beeches and The Deans but there is a wide variety of roof forms in the area including hipped, gabled and flat roofs.
6. In compliance with Core Strategy policy CS21, which requires urban intensification in defined areas well served by sustainable modes of travel, including the appeal site, recent development in the locality is relatively intense, including three and four storey buildings but with sufficient land around them to provide a dense coverage of trees and bushes. The proposal would have a somewhat larger footprint than the existing building with resultant rear garden depths of between approximately six and eight metres, somewhat on the small side for three-bedroomed dwellings, which might lead to pressure for the removal of some of the rear line of conifers.
7. At the front, whereas the existing dwelling on site has hard surfacing which covers about one-third of the frontage land, the proposal includes a single-sided car parking layout. Irrespective of the operational deficiencies of this layout, noted in the Council's appeal statement, which would not facilitate turning on site, a single-sided layout is, of its nature, a less efficient use of land than a double-sided layout but it is the result of a choice to obtain access to the site in the same location as at present. In consequence, the proposed parking layout would be extensive and would reverse the balance between hard and soft surfacing, leaving very little room for substantial trees or shrubs to flourish.
8. In combination, the greater footprint of the proposed building, the minimal size of the rear gardens and the proportion of the front grounds laid out to car parking lead me to the conclusion that the proposal would harm the character and appearance of the area. Whilst complying with the part of Core Strategy policy CS21 which requires intensification, it would breach that part which requires a positive contribution to the character of a neighbourhood, maintaining and enhancing the quality of the street scene and with Local Plan policy 6.8 which requires infill development to complement and respect local character.

Living conditions

9. Number 6 The Deans has flank windows at both ground and first floor levels which face towards the rear of the appeal site. At present, they are so well

screened from the appeal site by close-boarded fencing and a line of evergreen trees that it was not possible to tell, on my site visit, whether they were fitted with obscure glass or had blinds drawn. In any event, the existing tree screen provides, and could continue to provide, all the privacy which would be necessary between number 6 The Deans and the proposed development, notwithstanding the latter's greater height and proximity compared with the existing situation. The retention of these trees could be required by condition and so I conclude that the proposal would have an acceptable effect on the living conditions of occupants of 6 The Deans. It would comply with that part of Core Strategy policies CS21 and CS41 which require respect for and a high standard of residents' amenities and with that part of Local Plan policy 6.8 which requires adequate privacy for the occupants of adjacent residential properties, although I reiterate the observation made above that the short rear gardens proposed might lead to pressure for the removal of the tree screen.

Highway safety

10. As previously noted, the proposal chooses to retain and enlarge the existing access on to Wimborne Road. This happens to be where a bus stop is located and road markings provide for southbound traffic to pull out to the middle of the road so as to pass the bus stop, leaving no room in the centre of the carriageway for a northbound vehicle to turn into the site without blocking the flow of northbound traffic. Further to the north, nearer to the traffic islands associated with a road junction, central hatched markings could provide a refuge for that manoeuvre but that is not where the access is proposed. There would only be a marginal increase in traffic resulting from the proposal but Local Plan policy 8.1 is looking for improvements to direct access to primary and county distributor roads such as Wimborne Road.
11. There are a number of other direct accesses onto Wimborne Road in the immediate vicinity of its signalled junction with St Valerie Road, including that to 21 Wimborne Road and to Ravenswood, 23 Wimborne Road, a very much larger development than that proposed on the appeal site. Paragraph 7.9.5 of the government's Manual for Streets recommends that the limit for providing direct access onto roads with a 30mph speed restriction should be raised to at least 10,000 vehicles per day and could be increased further, so I am not convinced that the annual average daily flow of 16,684 vehicles (2-way) recorded on Wimborne Road need necessarily preclude a direct access onto the site but it would be necessary for it to be designed to allow vehicles to turn on site and for the access to be optimally positioned to allow access and egress with minimal obstruction to the general flow of traffic. As noted above, the layout proposed in this appeal would not do that.
12. I therefore conclude that the proposal would present an unacceptable risk to highway safety. The proposal would not comply with that part of Core Strategy policy CS41 which seeks to ensure that development would contribute positively to the safety of the public realm, nor with Local Plan policy 6.8(iii) which expects development to provide a safe residential environment, nor with Local Plan policy 8.1 which precludes new or unimproved direct access to primary and county distributor routes such as Wimborne Road.

Habitats Regulations

13. The appeal site lies within a zone of proximity to the Dorset Heathlands Special Protection Area (SPA) and Ramsar site and the Dorset Heaths Special Area of

Conservation (SAC) where developments, either on their own or in conjunction with other proposals, are likely to have an adverse effect on the integrity of the SPA and an Appropriate Assessment under the Habitat Regulations would be required were I minded to allow the appeal. Because I am dismissing the appeal for other reasons, it is not necessary for me to make an Appropriate Assessment on this occasion, though I note that, were I to allow the appeal, CIL would provide a contribution to infrastructure.

14. Although a planning obligation could provide for a financial contribution to a scheme of Strategic Access Management and Monitoring in accordance with the Council's Dorset Heathlands Planning Framework 2015-2020 Supplementary Planning Document, none has been provided at the time of making this decision. Such financial contributions and the management measures which they would fund, together with CIL contributions to infrastructure enhancements, are commonly held to provide adequate mitigation for any adverse effect on the integrity of the protected sites. In the absence of the former I conclude that this case would cause unmitigated harm to the protected sites referred to and that the proposal would be contrary to Core Strategy policy CS33 which requires such mitigation.

P. W. Clark

Inspector