



Appeal Decision

Site visit made on 24 June 2019

by David Wyborn BSc(Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2019

Appeal Ref: APP/G1250/W/18/3219197

42 Russel Road Bournemouth, Dorset BH10 7HD

- 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 Mrs T Baker against the decision of Bournemouth Borough Council.
 - The application Ref 7-2018-26490-A, dated 24 September 2018, was refused by notice dated 19 November 2018.
 - The development proposed is to erect a two storey side extension at side of property to create new dwelling and formation of car parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The decision to refuse the application was made by Bournemouth Borough Council. On 1 April 2019, the Council ceased to exist, and the Council area now forms part of the new Bournemouth, Christchurch and Poole Authority. In accordance with the provisions within the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008, the status of the Bournemouth Local Plan Core Strategy (adopted 2012) (the Core Strategy) has not changed as a result of the formation of the new Council.
3. One part of the reason for refusal references harm to the designated Dorset Heaths Special Area of Conservation (SAC), Ramsar site and the Dorset Heathlands Special Protection Area (SPA) resulting from the proposal. A signed and dated Unilateral Undertaking (UU) has been submitted to seek to address this issue. I consider this matter later.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the area, and
 - whether the proposal would provide acceptable living conditions for future occupiers.

Reasons

Character and appearance

5. Russel Road is an established area with a range of different types of residential accommodation, some in terraces, and with trees and landscaping to some

frontages and side boundaries that help soften the appearance of the built development. While some of the end of terraces and other buildings are close to others, there is also examples of more spacious separation that contribute positively to the character of the road. The space to the side of No 42, with the sizeable hedge, is such a space. It helps separate the end of the terrace from the boundary and the new bungalow at No 44 and, with the planting, makes a positive contribution to the character and appearance of this part of the road.

6. The dwelling would fill the vast majority of this space and would bring a 2 storey building very close to the boundary. This loss of much of the side boundary space would increase the built presence on the site to a harmful extent. Furthermore, the plans show the hedging would be removed and the majority of the frontage would be laid to a hard surface. This would add to the impression that the scheme would be an overdevelopment of this site and would be at odds with the general appearance of the surroundings.
7. While there would still be some space retained to the building at No 44, which is located closer to the road, the presence of built development would be increased and the overall contribution that the lateral space makes to the immediate area would be severely eroded. The result would be a conspicuous and cramped form of development that would substantially diminish part of the positive character that the site makes to this part of the road.
8. I am not satisfied that the other examples of spaces between buildings within the road, that have been drawn to my attention, are positive examples to emulate and would justify the harm that I have identified in this case. I therefore attribute these other sites limited weight.
9. As a consequence, the scheme would not comply with the National Planning Policy Framework (the Framework) which requires that development is sympathetic to local character, including the surrounding built environment. Furthermore, while there would be Framework support to make the efficient use of land, this should not be at the expense of the desirability of maintaining an area's character and setting, including residential gardens.
10. For the above reasons, I conclude that the proposal would harm the character and appearance of the area. Therefore, it would conflict with Policies CS20, CS21 and CS41 of the Core Strategy, the approach in Residential Development: A Design Guide (adopted 2008) (the Design Guide) and the Framework that seeks in this respect, amongst other things, to ensure that development should through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings.

Living conditions

11. My attention has not been drawn to any locally adopted numerical space standards for the size and layout of residential properties or that there is a development plan policy that references the Technical Housing Standards - Nationally Described Space Standard (2015). In this case, the accommodation would be less than the National Standards for a 3 person 2 bedroom house and I note that the width of the dwelling would be narrow.
12. Nevertheless, the dwelling would have a reasonably sized lounge/kitchen area that would have direct access to a decent sized level area of rear, private garden. This would help to provide a reasonably high quality of accommodation

and I see no clear conflict in this respect with the advice in the Design Guide, in particular, in relation to the section on internal space. Taking all matters into account, including the policy intentions to deliver small family housing under Policy CS20 of the Core Strategy and the lack of numerical local space standards, I consider that the accommodation would provide acceptable living conditions for future occupiers.

13. The Council in their statement has also raised a concern with the impact of the proposal on the living conditions of the occupiers of No 44. This is a bungalow that has fairly recently been built on the adjoining site. The proposed dwelling would be set back within the site such that most of the side flank wall would adjoin the bottom of the garden of 60 Horsham Avenue. No 44 has a parking area adjoining the appeal site and given the siting and relationship, the bulk and position of the proposal would not cause undue harm or an overbearing effect on the living conditions of the occupiers of No 44.
14. Accordingly, I conclude that the proposal would provide acceptable living conditions for existing and future occupiers and therefore would comply with Policy CS20, CS21 and CS41 of the Core Strategy, the Design Guide and the Framework which seek in this respect, amongst other things, to provide a high standard of amenity to meet the day to day requirements of future occupants.

Other Matters

15. The Dorset Heathlands Planning Framework 2015-2020 Supplementary Planning Document sets out a strategy that seeks to mitigate the impacts on the heathland arising from recreational pressure from residents of new dwellings. The appellant has submitted a signed and dated UU to seek to provide the necessary mitigation. If I was minded to allow the appeal, I would need to undertake an appropriate assessment, however, in the light of my overall conclusion in this case, I do not need to consider this matter further.

Planning Balance and Conclusion

16. The proposal would provide a modest sized family home and therefore a small boost to the supply of housing on a windfall site. Because of its size the dwelling is likely to be more affordable than many others in the area. Occupiers would have reasonable access to local services and facilities and, within this built up area, the site can be considered to be a generally sustainable location. There would be social and economic benefits during construction, and in subsequent occupation. However, cumulatively these benefits afford limited weight as only an additional dwelling would be provided.
17. The scheme would provide acceptable living conditions; however, this is neutral in the overall considerations and not a benefit of the scheme. I have found that the proposal would harm the character and appearance of the area to which I attribute substantial weight.
18. The evidence indicates that the Council cannot demonstrate a 5 year supply of deliverable housing sites and therefore the presumption in favour of sustainable development as set out in paragraph 11d of the Framework is engaged.
19. However, taking into account all of the above considerations, I conclude that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the

Framework taken as a whole. Consequently, and having regard to all other matters raised, the appeal should be dismissed.

David Wyborn

INSPECTOR