



Appeal Decision

Site visit made on 27 August 2019

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2019.

Appeal Ref: APP/G1250/W/19/3222091

22 Truscott Avenue, Bournemouth, BH9 1DB

- 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 Mr and Mrs H Royds against the decision of Bournemouth Borough Council.
 - The application Ref 7-2018-27081, dated 28 June 2018, was refused by notice dated 21 August 2018.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Procedural matters

2. Another appeal¹ relating to this site is also before me and combined evidence has been provided by the main parties. However, I have prepared separate decisions in the interests of clarity. This appeal has been referred to by the parties as Appeal A and relates to a proposed single storey dwelling.

Main Issues

3. The main issues are the effect on the character and appearance of the area and the effect on highway safety.

Reasons

Character and appearance

4. The area is residential in character with dwellings that have a fairly consistent scale and relationship to the street. There are occasional notable exceptions to the scale, such as a recently built bungalow at 23A Somerley Road that faces a pair of 1.5 storey dwellings, but the predominating house types are 2 storey with front elevations parallel to the roads at an almost uniform distance back from the highway.
5. Somerley Road, along with other streets including Maxwell Road, Leamington Road and Heron Court Road are arranged on a grid. Truscott Avenue cuts diagonally through the grid which has resulted in irregularly shaped plots at sites around its junctions. 22 Truscott Avenue is one such plot, where the front face of the dwelling is parallel to Truscott Avenue, but a garage at the rear, on the appeal site, faces Somerley Road at an oblique angle. The site is currently

¹ APP/G1250/W/19/3222092 (referred to by the parties as Appeal B)

somewhat unkempt, but from my observations at the site visit, I did not find its appearance harmful to the area.

6. Irregularly shaped plots around the road junctions may well be part of the historic character of the area and there are some unconventional building shapes particularly where the associated dwellings have been extended. However, there remains a strong sense of uniformity in layout in terms of the position of dwellings with the street. The proposal, by contrast, would mirror the siting of the existing garage at a pronounced angle to the street.
7. Whilst there is already a building on the site in this position that is of similar height, it has a functional, ancillary character whereas a dwelling would appear as a more formal and assertive part of the street. It would break from the clearly established pattern in terms of both its siting and scale and would consequently appear shoehorned into a superfluous piece of land rather than being an integrated part of the street. Whilst the siting of the dwelling may reflect the site constraints, as required by Policy CS41 of the Bournemouth Local Plan: Core Strategy 2012 (CS), and may optimise the provision of external garden space, it does not respect the prevailing character and appearance of the area and would appear out of place.
8. Other examples of infill within the area have broadly maintained the established relationship of dwellings with the street. I understand that in permitting the bungalow at 23A Somerley Road, the Council found the low height to be appropriate, in part due to the building replacing a block of garages. However, there are lower dwellings opposite and, fundamentally, that dwelling maintains the broadly parallel relationship with the street. I do not, therefore, find it, or the other examples given, comparable.
9. For the above reasons, I find that the proposal would harm the character and appearance of the area. It would, therefore, be contrary to those aims of CS Policies CS6, CS20, CS21 and CS41, and Policy 6.8 of the Bournemouth District Wide Local Plan 2002 that seek to ensure that development applies good design principles, respects the character and appearance of the area, maintains the quality of the street scene, and contributes positively to the public realm.

Highway Safety

10. The reason for refusal cites a lack of justification for the loss of existing parking spaces for 22 Truscott Avenue. The evidence submitted in respect of appeal B, however, indicates that the site has been separated from the residential occupation of 22 Truscott Avenue for some time and that a loss of parking facilities for that property will not occur. I, therefore, find that this aspect of the Council's concern has been overcome and there is no conflict with the aims of CS Policy CS16 that requires parking provision in accordance with the Council's adopted standards.
11. However, the Council is also concerned about the size of the proposed parking space and suggests that a vehicle parked at the site may overhang the footway. This would cause an obstruction to pedestrian traffic and may necessitate walking in the carriageway. Whilst the road appeared to be lightly trafficked at my site visit, this would be hazardous, particularly for those using wheelchairs or with pushchairs. There is no substantive evidence to suggest that this obstruction would not occur.

12. I, therefore, find that the proposal would harm highway safety. Accordingly, it would be contrary to those aims of CS Policies CS18 and CS41 which seek to promote walking, ensure that existing walking networks are not compromised and ensure that development is well designed.

Other matters

13. I note the appellant's suggestion that the site should be considered to be in an accessible location. There is discussion in the evidence about the Council's ability to demonstrate a 5 year supply of deliverable housing land. However, whether or not paragraph 11(d) of the National Planning Policy Framework were engaged, the harms that I have identified would significantly and demonstrably outweigh the benefits associated with the supply of one additional dwelling in this location. Accordingly, the presumption in favour of sustainable development would not apply and so would not weigh in favour of granting permission.
14. The reason for refusal also cites a lack of measures to mitigate harm to European Nature Conservation Sites². However, as I am not granting permission, there are no pathways that would result in a significant adverse effect on these sites.

Conclusion

15. The appeal is dismissed.

M Bale

INSPECTOR

² The Dorset Heathlands Special Protection Area, Ramsar Site and Dorset Heaths Special Area of Conservation.