



Appeal Decision

Site visit made on 13 August 2019

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 September 2019

Appeal Ref: APP/G1250/W/19/3227033

16 and 18 Ibbett Road, Bournemouth BH10 5HP

- 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 Tania Baker against the decision of Bournemouth Borough Council.
 - The application Ref 7-2018-26926, dated 29 November 2018, was refused by notice dated 4 February 2019.
 - The development proposed is to demolish bungalow, erect two bungalows and create car parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the site address given within the appeal form as it most accurately conveys the location of the site.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area;
 - the living conditions of future occupants;
 - the living conditions of neighbouring residents with regard to outlook, noise and privacy; and,
 - the integrity of the Dorset Heathlands.

Reasons

Character and appearance

4. The area surrounding the appeal site is characterised by rows of residential properties. Like the majority of its neighbours along Ibbett Road, No 16 is a detached bungalow with its principal aspect towards the public realm, set behind a small front yard with its main garden to the rear, which is bounded by substantial brick walls. Although many of the properties have driveways, the front gardens are generally landscaped and set consistently behind brick boundary walls which delineate public and private space. The appeal site also includes a small area of hardstanding which is used in association with the adjacent property No 18.
5. Policy CS21 of the Bournemouth Local Plan: Core Strategy (adopted 2012) (CS) supports infill development in this location. However, this is on the basis

- that it exhibits good design that contributes positively to the area's character and maintains and enhances the quality of the street scene.
6. The scheme seeks to demolish and replace the existing property and provide a bungalow on the land to its rear, with the new homes numbered 16 and 16A respectively. The bungalow architecture of the dwellings would be compatible with the other properties within Ibbett Road. However, the scale and aesthetic merit of the buildings are only two aspects of the scheme's overall design.
 7. There would be three forecourt parking spaces accessed via the existing and an additional driveway. Although the urbanising effect of this element of the scheme would be partially offset by the small front lawn, the overall loss of front boundary walling and the predominance of vehicular parking within the front garden would have an incongruous appearance within the street scene.
 8. 16A would be sited outside of any discernible row of housing, in an enclosed environment directly behind 16, with limited separation from boundary treatments. As such, I consider that its confined and isolated location behind the main pattern of houses would be at odds with the prevailing character of residential development in the area. Although it would be largely hidden, it would nonetheless be visible when glimpsed beyond 16 and, together with the access and parking arrangement, it would have a discernibly harmful effect when viewed from the public realm. It would not therefore make an efficient use of the land.
 9. I therefore conclude on this issue that the proposed development would have an unacceptable effect on the character and appearance of the area. It would conflict with the design aims of Policies CS21 and CS41 of the CS, Policies 4.25 and 6.8 of the Bournemouth District Wide Local Plan (adopted 2002) (LP), the National Planning Policy Framework (the Framework) and the guidance within the Residential Development: A design guide Supplementary Planning Guidance (the SPG).

Future occupants

10. Amongst other things, Paragraph 172 of the Framework requires proposals to provide a high standard of amenity for future occupiers through the creation of layouts that will function well over the lifetime of the development, using the arrangement of spaces to create attractive and welcoming places to live.
11. 16A would be separate from its parking area and would require access via a confined pathway in the limited space between two private properties. The path would directly pass 16's bathroom and toilet windows and bin store. This would be a contrived arrangement. Despite the provision of small front and back garden areas, 16A would be surrounded by neighbouring properties and enclosed by substantial and tall boundaries. The degree of confinement provided by these surrounding, proximate walls and the absence of adequate outlook would lead occupants to experience an unacceptably cramped living environment.
12. Consequently, I conclude on this issue that the proposal would fail to provide an adequate standard of living conditions for future occupants. It would conflict with Policies CS21 and CS41 of the CS, Policy 6.8 of the LP, the Framework and the SPG insofar as they require proposals to provide an appropriate standard of amenity for the residents of a development.

Neighbouring occupants

13. As the rear of the appeal site is well enclosed by its boundary walls, and the proposed buildings would be bungalows, overlooking from the dwellings would not harmfully affect the privacy of neighbouring properties. Overlooking from garden areas and any noise emanating from the development would be akin to that which could occur in relation to the existing property.
14. 16A would be close to the dwellings and gardens at No 14 Ibbett Road and Nos 30 and 32 Bennion Road. However, the bungalow's walls would be set back within the site and its eaves height would broadly match that of the existing boundaries. Although the dwelling would be 4.9m in height, its small ridge would be located centrally within the site, in line with the boundary between 30 and 32, and behind outbuildings in the rear garden of these properties. Its roof would slope away from neighbouring sites. As such, although there would be a modest degree of loss of daylight and some limited reduction to outlook, these effects would not be so significant as to be unacceptably harmful in this residential location.
15. The appellant has directed me to granted schemes elsewhere and the Council has directed me to an appeal¹. However, although there are similarities between the cases, matters surrounding the living conditions of neighbouring occupants are site specific and fact sensitive, relying upon the exercise of planning judgement. These decisions have therefore carried very limited weight in my assessment.
16. I therefore find on this issue that the proposal would have an acceptable effect on the living conditions of neighbouring residents with regard to outlook, noise and privacy. It would comply with Policies CS21 and CS41 of the CS and Policy 6.8 of the LP, the Framework and the SPG insofar as they relate to the amenity of neighbouring residents.

Dorset Heathlands

17. The site is within influence of the Dorset Heathlands which are designated as a Special Protection Area, Special Area of Conservation, and Ramsar site. CS Policy CS33 and the supporting guidance in the Dorset Heathlands Planning Framework Supplementary Planning Document (2016), seek to protect the Dorset Heathlands through the provision of mitigation measures to address the increased recreational pressure arising from residential development.
18. The parties do not dispute that the proposal would place additional demands on the European sites and that mitigation is required pursuant to a non-infrastructure contribution to SAMM (Strategic Access Management and Monitoring). I understand that the appellants have submitted a legal agreement to the Council to this effect, but there has been no further dialogue on this issue.
19. However, as the circumstances that could have led to the granting of planning permission are not present, it is not necessary for me to ascertain the appropriateness and delivery of the mitigation within an Appropriate Assessment. Consequently, as I am dismissing the appeal for other reasons, I have not taken this matter further.

¹ Refs: 7-2018-26295-B and 7-2016-24443-A and APP/G1250/W/18/3197115 respectively.

Other Matters

20. The appellant has provided a list of addresses elsewhere in Bournemouth where infill development has been allowed. Only limited information of the circumstances and details of these cases has been provided, and I am therefore unable to draw any substantive parallels between them and this proposal. However, even if plot or garden sizes are numerically similar in other cases, such as the scheme at Harlow Road², each application is judged on its own merits, particularly as the quality of a space is determined not just by its size but by its physical characteristics and constraints.
21. With regard to Policy CS20 of the CS, which encourages small family dwellinghouses, the policy is supportive only where the development maintains the character of the local area, which I have found would not be the case here.
22. I note the Council's reference to land ownership and the physical extent of the site. However, as I assessed this scheme as submitted and found that it would conflict with the development plan, this matter has not been determinative in my decision.
23. I have also had regard to representations about the construction phase, drainage, access, parking and highway safety in particular relation to the school, but these matters have not affected my finding on the main issues.

Planning Balance

24. The government is seeking to significantly boost the supply of housing and the proposal would provide a potential family home in an accessible residential location where the principle of infill development is supported by the development plan in order to meet its housing requirements. It would do so without harm to neighbouring residents. However, due to the small scale of the proposal this social benefit would be modest. It would be significantly and demonstrably outweighed by the harm to the character and appearance of the area and inadequate standard of the living conditions of future occupants that I have identified.
25. I therefore find that the proposal would conflict with the development plan when read as a whole. There are no other matters, including the Framework, that outweigh this conflict.

Conclusion

26. For the reasons outlined above, and taking into account all matters raised, the appeal is dismissed.

Matthew Jones

INSPECTOR

² Ref 7-2016-15361-A