
Appeal Decision

Site visit made on 14 August 2020

by **L McKay MA MRTPI**

Inspector appointed by the Secretary of State

Decision date: 09 September 2020

Appeal Ref: APP/V1260/W/20/3249702
33 Hastings Road, Bournemouth BH8 0HW

- 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 Duchesne Projects against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2019-26403, dated 5 July 2018, was refused by notice dated 9 October 2019.
 - The development proposed is to erect new dwelling, demolish existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area, and on the living conditions of the occupiers of Nos 33 and 35 Hastings Road and the proposed dwelling in respect of outside space and outlook.

Reasons

Character and appearance

3. Hastings Road and Barrow Road are part of an established residential area containing a mix of bungalows and 2-storey dwellings of broadly similar age. Despite some differences, the dwellings in both streets are in general harmony with each other in terms of their character and appearance, with most sharing common features including bay windows and horizontal bands of brickwork. Dwellings are generally regularly spaced with driveways to the side and set back a similar distance from the road, creating a regular rhythm which has not been significantly affected by the various alterations and extensions that have occurred over time.
4. Plot widths are fairly consistent except at road junctions where they are significantly wider. At these corner plots, front and side gardens, gaps to properties behind and splayed front boundaries create a more open character and are important in defining the character and appearance of the area. The appeal site reflects the characteristic openness of such plots and contributes positively to the character and appearance of the area.
5. The proposal would be of similar width to other bungalows nearby, with a hipped front projection. However, due to the size of the plot and the proximity of the proposed dwelling to the side and rear boundaries and the rear of No 33, the proposed development would appear cramped within the plot. It would interrupt

the gap between properties and reduce the spacious character of the junction, harming the character and appearance of the area.

6. The proposed dwelling would be set forward of No 4 Barrow Road, which itself is slightly forward of its neighbour, and as such would be well forward of other dwellings in the vicinity. Due to its orientation, the bulk of the proposed roof would be clearly apparent from the road and would contrast sharply with the hipped roofs around it. This bulk would be further emphasised by the proposed use of large, slate effect tiles, the size and colour of which would be distinctly different to the more muted palette of plain tiles found in Barrow Road. The plain frontage and small windows proposed would also be markedly different to the surrounding area, where variation in materials and large, bay windows are characteristic features. Consequently, due to its form and siting the proposed dwelling would disrupt the rhythm and spacing of built form along Barrow Road and although it would only be a chalet bungalow, it would nevertheless be a prominent and incongruous feature in the street scene.
7. While properties with cropped gable roofs are found scattered through the local area, I saw that the bungalows in Culford Close and Hastings Road with that roof form are oriented end on to the road and as such the bulk of those roofs is not prominent in the street scene. 4 Crantock Grove is set in a wide corner plot and as such despite its relatively large roof, it retains a sense of space around it. Consequently, those developments are not directly comparable to the appeal proposal. Although the appellant suggests other plot subdivisions have taken place in recent years, I have not been directed to any specific examples. Therefore, the existence of these other developments does not justify the harm I have identified.
8. Accordingly, the proposal would harm the character and appearance of the area. It would therefore conflict with Saved Policy 6.8 of the Bournemouth District Wide Local Plan 2002 (LP) and Policies CS20, CS21 and CS41 of the Bournemouth Local Plan Core Strategy 2012 (CS) which requires development, including infill in existing urban areas, to complement and respect the character and amenity of neighbouring development and be well designed and of a high quality.
9. Furthermore, the proposal would not meet the objectives of the Council's Design Guidance¹ that infill development integrate with the established patterns of development and built form, and would conflict with the requirements of the National Planning Policy Framework (the Framework) that developments add to the overall quality of the area and are sympathetic to local character.

Living conditions

10. The Council does not have specific garden size standards, however the Design Guidance sets out that private gardens are particularly important where family units are proposed, and that they should: feel safe and secure with a good degree of privacy; be of a useful size for the proposed occupants enabling flexibility of use and personalisation over time; and be well related to internal living accommodation.
11. The proposal would result in the loss of the existing relatively private rear garden of No 33. While a small area of new garden is proposed in place of the existing garage, it would be significantly constrained and shaded by existing and proposed fencing and No 33 on three sides. It would appear the fourth side would be open to the parking space adjacent. As such, that area would not be a private space, nor would it be a pleasant environment in which to spend time. Nor would it be directly

¹ Residential Development: A Design Guide 2008

accessible from the dwelling, and as such would not be well related to the internal living accommodation. Although the existing front and side gardens are a good size, the boundary walls are low, and vegetation provides only intermittent screening. These garden areas therefore offer very little privacy from passers-by. Consequently, the proposal would not provide adequate private outside space for the residents of No 33 and would therefore harm their living conditions.

12. As a 2-bed dwelling the proposal could be occupied by a family, and as such sufficient space would be needed for day to day requirements such as drying clothes, space for sitting out, outside storage and space for children to play. Although relatively wide, the garden of the proposed dwelling would be limited in depth. Therefore, while in terms of area it might be comparable with others in the local area, its shape would restrict its functionality and ability to meet the needs of day to day living and adapt over time. As such, the proposal would not provide adequate outside space for future occupiers of the proposed dwelling and would therefore harm their living conditions.
13. No windows are proposed in the rear wall of No 33 following removal of the garage, and as such the proposed dwelling would not be particularly visible from that dwelling. Therefore, the outlook of the occupiers would not be materially adversely affected by the proposal. This would not however outweigh the harm I have identified to their living conditions in respect of outside space.
14. The proposed dwelling would extend along most of one side of the rear garden of No 35, however it would be set in from the mutual boundary and the roof would slope away from No 35. As such, while it would be visible from the rear windows of No 35, the proposed dwelling would not be an unduly dominant or obtrusive feature. Consequently, it would not significantly adversely affect the outlook from that property. Nevertheless, this would not outweigh the harm that I have identified above.
15. Accordingly, while I have found that the proposal would not harm the living conditions of the occupiers of Nos 33 or 35 in respect of outlook, it would harm the living conditions of the occupiers of No 33 and the proposed dwelling in respect of outside space. Consequently, the proposal would conflict with LP Policy 6.8 and CS Policies CS21 and CS41 insofar as they require development to provide a pleasant residential environment and a high standard of amenity. Given this harm, it has not been demonstrated that the site is capable and suitable for accommodating a small family dwelling, and the proposal is therefore contrary to CS Policy CS20. Additionally, it would conflict with the objective of the Design Guidance in respect of residential amenity, and Framework paragraph 127f) which requires a high standard of amenity for existing and future users.

Planning Balance

16. While the CS and LP encourage development in existing urban areas, and as such accept some increase in density, the relevant policies also require such development to achieve high-quality design and satisfactory living conditions, which I have found that the proposal would not achieve.
17. The Council advises that it is recalculating its housing land supply in accordance with the requirements of the 2019 Framework but acknowledges that it probably cannot demonstrate 5 years' supply. Neither main party has however provided an estimate of the likely shortfall. The presumption in favour of sustainable development in Framework paragraph 11d) is therefore engaged and the development plan policies most important for determining the application are out-

of-date. Nevertheless, given the importance the Framework affords to design and amenity I give the conflict with those policies very substantial weight.

18. The proposal would provide a small family dwelling in an accessible location in an existing settlement, and as such would contribute to meeting an identified need. It would also result in economic benefits through construction and occupation. However, the contribution of one dwelling would be limited and as such carries limited weight. The proposal would also provide sufficient parking for the existing and proposed dwellings; however, this would be of neutral consequence in the planning balance.
19. Consequently, while the proposal would accord with the development plan in respect of the settlement strategy and parking provision, for the reasons above it would conflict with the development plan as a whole.
20. The proposal would boost housing supply, make more efficient use of land and would help meet the housing needs of different groups in the community, as supported by the Framework. It would however conflict with the Framework requirements in respect of high-quality design and amenity. Accordingly, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
21. Overall, taking account of the Framework and the above considerations, including the benefits of the development, I find that material considerations do not indicate that planning permission should be granted for the development, which conflicts with the development plan.

Other Matters

22. The site is within the 5km zone of influence of the Dorset Heathlands Special Area of Conservation (SPA) and Ramsar site, and the Dorset Heaths Special Area of Conservation (SAC), together referred to as the Dorset Heathlands, and the proposal has the potential to impact on the integrity of these European Sites. However, as the appeal is being dismissed for other reasons this is not a matter that needs to be addressed.

Conclusion

23. For the reasons given above, the appeal is dismissed.

L McKay

INSPECTOR