



Appeal Decisions

Site visit made on 28 September 2020

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th October 2020

Appeal A Ref: APP/V1260/W/20/3247437

102 Watcombe Road, Bournemouth BH6 5LP

- 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 & Mrs Clark against the decision of BCP Council.
 - The application Ref 7-2019-4774-C, dated 11 November 2019, was refused by notice dated 30 December 2019.
 - The development proposed is alterations & two storey extension to existing dwellinghouse to provide additional dwellinghouse with associated parking alterations to existing access & new vehicular access (amendment to 7-2019-4774-B).
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Appeal B Ref: APP/V1260/W/20/3247486

102 Watcombe Road, Bournemouth BH6 5LP

- 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 & Mrs Clark against the decision of BCP Council.
 - The application Ref 7-2019-4774-B, dated 23 August 2019, was refused by notice dated 7 November 2019.
 - The development proposed is extension, alterations and subdivision of existing dwelling to form two three bedroom semi detached dwellings with associated parking.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matters

3. As set out above there are two appeals on this site. Both appeals A and B propose a two-storey side extension which differ in terms of size and extent, with Appeal B being the larger. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
4. The appellant has indicated a willingness to omit two of the parking spaces in order to overcome the Council's reason for refusal in respect of the loss of the street tree. However, this would materially change the schemes from that for which permission was sought and upon which locally interested parties had been notified, I am not satisfied that the interests of those parties would not be prejudiced if I were to take these changes into account in my decision. I am therefore considering the appeal on the basis of the drawings as originally submitted.

Main Issues

5. The main issues in both appeals is the effect of the proposed development on:
- the character and appearance of the host property and the surrounding area;
 - a street tree;
 - highway safety;
 - the provision of surface water management; and
 - the integrity of the designated Dorset Heathlands Special Protection Area, Ramsar Site and Dorset Heaths Special Area of Conservation.

Reasons

Character and appearance

6. Number 102 (No 102) is a large detached two-storey house. It occupies a prominent position on the corner of Watcombe Road and an access road leading to an allotment site. Watcombe Road is a residential street, characterised by a mix of detached and semi-detached properties set behind deep front gardens and separated from each other by relatively narrow side passageways. As a corner property and having been previously extended to the side, No 102 is larger than surrounding development. It is set in from the front and side boundaries by an area of garden and parking, this is characteristic of other corner properties within the locality. This layout of buildings set in from adjacent footpaths contributes to the open and spacious character of the area.
7. The proposed developments in both appeals, seek to extend the existing two-storey side extension to the side and rearwards along the allotment access road. A very narrow gap would be retained to separate it from the footpath. It would also be extended at first floor level although this would be set in from the flank wall in Appeal A. The existing hipped roof would be extended over the first floor extension.
8. In both appeals the increase in the overall width of the building to occupy almost the entire width of the plot would make the property seem overly large and cramped within its plot. The extension of the property to the side in combination with the existing large side extension would not appear subordinate to the host property. The large size of the extension in both appeals would be out of proportion with the host dwelling and the elongated roofline of the extended hipped roof, whilst in matching materials, would make this awkward relationship with the host dwelling more apparent. Even though the proposed development would result in a pair of semi-detached properties which individually would be a comparable size to nearby properties, this would not overcome the significant harm from the proposed extensions to the character and appearance of the host property.
9. The minimal separation from the side boundary would be out of character with the layout and pattern of development within the surrounding area, including the corner property at Number 102A on the opposite junction of the allotment access road. This would result in an incongruous form of development. Its large size, and limited gap between its flank wall and the footpath, would make it appear visually intrusive on this corner plot. It would erode the open and

spacious character of the area. In Appeal B, where the proposed first floor extension would extend the full width of the plot, the resultant development rising up two storeys almost directly adjacent to the footpath would appear particularly imposing and overbearing for pedestrians using the access road. This would be harmful to the character and appearance of the locality.

10. My attention has been drawn to a number of properties which have been extended to occupy the full width of their plot. Most of these cases are not corner properties and even where they appear to adjoin an access or road, limited details of these developments, location or context have been provided and direct comparisons with the appeal scheme cannot be drawn.
11. I conclude that the proposed development in both Appeal A and Appeal B would significantly harm the character and appearance of the host property and the surrounding area. It would therefore conflict with Saved Policy 6.8 of the Bournemouth Wide District Local Plan 2002 (Local Plan) and Policies CS20, CS22 and CS41 of the Bournemouth Local Plan Core Strategy 2012 (Core Strategy). These policies together require infill and new small scale residential development to respect the character of neighbouring development, be a high quality of design that is not detrimental to the built environment and local character. It would also not accord with the design objectives of the National Planning Policy Framework (the Framework). It would also not comply with the guidance set out in the Council's Residential Design Guide 2008 (RDG) which seeks development that respects established patterns of development.

Street tree

12. Watcombe Road is largely tree-lined with trees of a similar age and appearance, indicated to be pollarded lime trees, spaced regularly along much of its length. This avenue of trees makes a significant contribution to the character and appearance of the street, creating a sense of place and providing a softening and attractive feature within the streetscene. Only two trees remain on the pavement between the junction of Watcombe Road and Cranleigh Gardens and the access road to the allotments, one of which is outside No 102. These two trees together make an important contribution to the visual experience of the avenue of trees along Watcombe Road, providing visual continuity of the line of trees.
13. In order to accommodate sufficient parking on site the proposed development in both schemes would provide two parking spaces perpendicular to the pavement and the formation of a dropped kerb to provide access to these. The submitted drawings indicate that one of the parking spaces would be positioned behind the tree directly outside the appeal property with the dropped kerb offset from this.
14. In order to provide safe access to the parking spaces, the dropped kerb would need to provide direct access from the street. As the parking space is behind the street tree, this would require the removal of the tree to enable this as I set out in my reasoning on highway safety below. This would leave just one tree along this stretch of Watcombe Road which would not be sufficient to provide the visual continuity of the line of trees. This would significantly harm the character and appearance of the streetscene.
15. I conclude that the proposed development in Appeal A and Appeal B would adversely affect a street tree. It would therefore conflict with Policies 4.25 and

6.8 of the Local Plan and Policies CS20, CS22 and CS41 of the Core Strategy. These policies together and amongst other things require development to provide an accurate tree survey of features to be retained, a pleasant and safe residential environment that would not harm local character or amenity and would conserve and improve landscape and townscape. It would also not accord with the Framework which requires development to maintain a strong sense of place and be sympathetic to landscape features.

Highway safety

16. Watcombe Road and the surrounding area is a residential area, with on-street parking although most houses have some form of off-street parking. At the time of my site visit, there were a few cars parked on street and low levels of traffic.
17. Due to the position of the street tree in front of the proposed crossover, vehicles emerging from the parking space behind the tree would have to drive very close to the tree and emerge at an angle from the space. This would severely restrict driver visibility towards Cranleigh Road to the right. This would significantly increase the risk of conflict between users of the highway in close proximity to a junction.
18. The appellants have suggested a condition could be imposed to address concerns about visibility. However, the limited visibility would be due to the presence of the street tree which would require removal in order to facilitate safe parking access on the site. However, as I have set out above, this would be harmful.
19. I conclude that the proposed development in Appeal A and Appeal B would significantly increase the risk of conflict between road users, it would therefore significantly harm highway safety. It would therefore not comply with Policy CS41 of the Core Strategy which requires a high quality of design which contributes to the safety of the public realm. It would also not accord with the Framework which requires new development to not unacceptably impact on highway safety. Saved Policy 8.2 of the Local Plan relates to access on to District Distributor Roads which would not be applicable in this case.

Surface water management

20. There is a requirement in Policy CS4 of the Core Strategy that development sites should employ Sustainable Urban Drainage Systems (SUDS) and that details of the SUDS scheme and maintenance are submitted as part of any planning application. This is to ensure that development does not increase flood risk from surface water drainage. The appellants have indicated a willingness to provide appropriate drainage, however, no technical details have been provided.
21. The building regulations require a minimum distance of 5 metres to be maintained between a highway and building to any soakaway. Due to the size and layout of the site, the provision of a soakaway may not be feasible. Notwithstanding the appellants' suggestion that this matter could be addressed through the imposition of a condition, in the absence of substantive evidence that this could be achieved on site, I cannot be certain that this would resolve the matter appropriately and that the proposed development would not increase the risk of localised flooding.

22. I conclude that the proposed development in both Appeal A and Appeal B would not make adequate provision for surface water management. It would therefore conflict with Policy CS4 of the Core Strategy as referred to above.

Dorset Heathlands

23. The site is within 5km of the designated Dorset Heathlands Special Protection Area (SPA), Ramsar Site and Dorset Heaths Special Area of Conservation (SAC). These are protected as European Sites of Nature Conservation Importance and are subject to statutory protection under the Conservation of Habitats and Species Regulations 2017. Regulation 63 prevents the competent authority from granting permission unless the proposal would not adversely affect the integrity of the European site. I am the competent authority for the purposes of this appeal.
24. It is the Council's position that any residential development within the zone of influence around the SPA would significantly affect the integrity of the protected area. The appellants have accepted the need to provide a financial contribution towards mitigation measures. However, no such agreement has been provided during the appeal process. I am therefore unable to assess whether the mechanisms are in place to ensure delivery of any required mitigation.
25. In exercising my duty to protect the European Sites, I must adopt a precautionary approach. From the evidence before me I cannot be certain that the integrity of these protected sites would not be harmed as a result of this proposal, either alone or in combination with other plans and projects. Neither can I be certain that any mitigation which has been identified would be effective or secured.
26. It therefore follows that I have no choice other than to conclude that the proposed development in both Appeal A and Appeal B would have an adverse effect on the integrity of the designated Dorset Heathlands SPA, Ramsar Site and Dorset Heaths SAC. It would therefore conflict with Policy CS33 of the Core Strategy which seeks to protect the Dorset Heathlands from adverse effects upon its integrity.

Planning Balance and Conclusion

27. The Government is seeking to significantly boost the supply of housing. Both schemes would provide one additional housing unit and would make a very small contribution to this. This is a benefit of both schemes. However, the proposed development would significantly harm the character and appearance of the area, highway safety and would adversely affect a street tree. It would not make adequate provision for surface water management and in the absence of mitigation, it would adversely affect the integrity of protected European sites.
28. For these reasons, I conclude that Appeal A and Appeal B should be dismissed.

Rachael Pipkin

INSPECTOR