



Appeal Decision

Site visit made on 7 February 2023

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2023

Appeal Ref: APP/V1260/W/22/3302486

31 Guildhill Road, Bournemouth BH6 3EY

- 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 M G Wellman against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2022-28385-A, dated 14 February 2022, was refused by notice dated 18 May 2022.
 - The development proposed is proposed new detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- The effect of the proposal on the character and appearance of the area; and
- Whether the proposal would provide suitable access and cycle storage, having particular regard to highway safety.

Reasons

Character and Appearance

3. The appeal site is the corner garden of No 31. The existing dwelling, at the appeal site, has a unique quality, being an imposing, dual fronted property. It is an end of row dwelling and is in a triangular plot. The properties on the road have a variety of designs. However, despite this variation, they generally have good size plots and gardens. Dwellings are also generally set well back from the pavement and have a common front building line which matches the curve of the road. This pattern of development gives the built form coherency in this residential area and a sense of rhythm in the street scene.
4. The proposed new dwelling would substantially fill the existing corner garden space of No 31. Similar to neighbouring dwellings it would face the road, however its front building line would be set considerably forward of the front building line of the existing dwelling at No 31. Moreover, the front elevation of the new dwelling would also be set close to the pavement, with only a small space retained to its front and rear. This layout would be significantly at odds with the prevailing pattern of development in this area.
5. The new dwelling would have a similar footprint to surrounding dwellings and materials used in its construction would match those properties. There would

also be space retained at the sides of the new dwelling. However, although the resulting density may be suitable in an urban area, at this prominent corner location, it would appear a cramped form of development in this small plot with a relatively shallow depth. This, in combination with the discordant plot layout outlined above, would harmfully disrupt the existing distinct pattern of development that fronts this section of Guildhill Road.

6. The proposed roof form of the new dwelling would be pitched with a wide, forward-facing plane. The pitch would be relatively shallow which would result in high eaves, and the eaves would be broken by a wide front gable. The roof shape of surrounding dwellings varies, but I saw the existing development is unified by traditional roof forms, including simple pitched forms. In this context, the proposed roof of the new dwelling, with the details outlined above, would appear unconventional in shape and proportion, and would fail to blend with the surrounding existing roofscape.
7. The proposed fenestration on the front elevation of the dwelling would have three banks of openings. This would be at odds with the window pattern on surrounding dwellings, which generally have a dual pattern of fenestration. The new dwelling would also have a single central window in the front gable, which is not an uncommon feature in the road. However, when viewed alongside the out of character fenestration on the lower floor and the unusual proportions of the roof as described above, the dwelling would appear an oddity in the street scene. The suggested provision of soft landscaping at the front boundary would not sufficiently screen these incongruent features at the upper floors of the new dwelling.
8. In reaching these findings I have taken account of the variation in the architectural styles that would immediately flank the new dwelling. However, the combined effect of the discordant features identified in this case would not be readily absorbed in the appeal site's immediate context, nor would it assimilate with the wider surrounding built form. Consequently, the proposal would fail to respect the character of this area.
9. The appellant has drawn my attention to 22a Ken Road which has a small plot with a dwelling close to the road. However, this property is a dormer style bungalow, and it also addresses a different road that has a different character to that of Guildhill Road. 32 and 32a Guildhill Road have small plots and a small garden space to the rear. However, those dwellings are well set back from the road and in this respect do not significantly disrupt the building line of properties on that side of the road. These examples are not directly comparable to this proposal and have not altered my findings for this reason.
10. I therefore find that the proposal would have a harmful effect on the character and appearance of the area. In this regard it would conflict with Policies CS21 and CS41 of the Bournemouth Local Plan Core Strategy (Core Strategy) and Policy 6.8 of the Bournemouth District Wide Local Plan (Local Plan). These collectively require, amongst other matters, that proposals for residential development be of a good design and should be designed to respect the site and its surroundings.
11. The proposal would also be inconsistent with advice set out in the Residential Development: A Design Guide and provisions of the National Planning Policy Framework (the Framework) which also seek well-designed places and,

amongst other things, development to be visually attractive as a result of good architecture.

Highway Safety and Cycle Storage

12. The Framework, at Paragraph 111, states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
13. The proposed access to the new dwelling would align with the existing access at No 31. The width of the existing access would be extended, and this would allow access to the on-site parking provision for both dwellings.
14. The Council contends that the sight lines associated with the proposed access would fall short of that set out in the Council's Parking Standards Supplementary Planning Document (SPD), particularly in respect to the sight line to the west. The Highway Authority states that this would be so, when taking into account the 2m set back advised in the Manual for Streets document.
15. Paragraph 5.9 of the SPD sets out the visibility required at accesses to ensure safe egress from a junction. This guidance includes vehicle speeds to consider when accessing major/main roads and stopping distances for those vehicles. However, the proposal is in a residential street, in a predominately residential area. Moreover, the Council in this case has accepted a set back which is suitable for an access off residential roads where traffic flows are low.
16. This aside, the proposal would extend the access, for the appeal property, slightly closer to the crossroads to the west. There is a slight bend in the carriageway at this westerly aspect, but I saw that this is a gentle curve of the road. Consequently, the stretch of road near the appeal property is relatively straight. This carriageway is flanked by pavements of a reasonable width. Also, the landform in the immediate area of the appeal property is relatively flat. I observed that these highway conditions allow good visibility of other road users and pedestrians in the vicinity of the appeal property. Even with vehicles parked on the carriageway near the proposed access, given the factors outlined above, motorists would be able to observe other road users and pedestrians, so that they could safely enter the property or exit onto the carriageway without incident.
17. The Council state that the pedestrian splay at the proposed access is not shown attached to the east of the on-site parking bay for the new dwelling. While this may be so, this space to the east of this parking bay would have to remain clear to allow residents of No 31 access to their on-site parking area. This space, which would allow this access, would have a pedestrian splay on its east side where it joins the pavement. The submitted plans show that the dimension of these splays would be that indicated in the SPD as aiding visibility of pedestrians on the footway.
18. These splays should be kept clear of obstruction, and for certainty of this, as the Council indicates, this is a matter which could be addressed by means of planning condition. Taking these factors into account and the favourable highway conditions outlined above, motorists exiting the appeal property would have clear sight of pedestrians approaching the appeal property, thereby ensuring that conflict would not occur with these pedestrians.

19. The Council states that the proposed on-site parking provision for the new dwelling would comply with the parking standards outlined in the SPD. The proposed parking bay would also comply with the dimensions advised in the SPD.
20. I have had regard to Council's concerns about adherence to the guidance and policy, harmful precedents, and its requirement for substantive data on actual traffic speeds. I find no requirement, for this proposal, in local plan policy or the SPD for traffic speed surveys. The appellant submitted a transport statement with the application, and this includes information about traffic flows, speeds, and the road configuration. In any event, for the reasons outlined above, consistent with the key aims of this SPD, the proposed changes to this access would not have an unacceptable impact on highway safety in the area and the access would not be substandard in this regard.
21. The submitted plans do not show an onsite cycle storage but it does indicate a potential location for such a structure. Although the rear garden would be small, there would be sufficient space to accommodate a cycle store. I am content that this could be secured by condition.
22. For the reasons outlined above, I find that the proposal would provide suitable access and cycle storage, having particular regard to highway safety. In this respect, it would be consistent with Policies CS16 and CS18 of the Core Strategy. These collectively require, amongst other matters, that parking provision shall be in accordance with the Council's adopted parking standards and that all new development will provide adequate cycle storage.
23. It would also be consistent with the guidance set out in the Parking Standards SPD and the provisions of the Framework regarding highway safety.

Other Matters

24. The appeal property is within the zone of influence of the protected Dorset Heathland. The lowland heaths in South East Dorset are covered by a number of habitat designations. Natural England advises that additional residential development within 5 kilometres of the Dorset Heathland area is likely to have a significant adverse effect on the protected habitats either alone or in combination with other proposals.
25. Policy CS33 of the Core Strategy states that development will not be permitted unless it can be ascertained that the development will not lead to an adverse effect upon the integrity, directly or indirectly, of the Dorset Heaths international designations. The Dorset Heathland Supplementary Planning Document (SPD) sets out an approach to enable development through the implementation of measures to avoid likely urban effects upon the Dorset Heathlands. However, as I am dismissing this appeal on other grounds there is no need to consider this matter further in this case.
26. The Council has not raised concerns about the impact of the development on existing and future residents living conditions. However, it should be expected that development does not harm residents' living conditions. This matter does not weigh in favour of the proposal for this reason.
27. The appellant contends that development plan policies support, in principle, the development at this location. However, while Core Strategy Policy CS21 requires urban intensification in areas well served by sustainable modes of

travel, this is subject to proposals being of a good design. This would not be the case with this proposal as outlined above.

28. The appellant has highlighted Policy CS20 of the Core Strategy which provides support for the redevelopment of sites for small family dwellings. I have also had regard to the Council's housing strategy which is seeking to improve housing options in the area, and the planning constraints that surround the area, including protected habitats and the Green Belt. The main parties agree that the Council is unable to demonstrate a 5 year housing land supply. Therefore, the provisions set out in Paragraph 11 of the Framework are relevant in this case.
29. The proposal would support the Government's objective of significantly boosting the supply of homes and would add to the mix of houses in the area. The proposed dwelling would add one new small family sized home, and this would make a limited contribution to the supply of housing in the area. This would be a small windfall site that could be built-out relatively quickly. The site is also well-related to services. Energy efficiency measures would be incorporated into the dwelling. These matters weigh in favour of the proposal; however, these benefits would be limited given the scale of the development.
30. In respect to brownfield land, the definition of previously developed land in the Glossary of the Framework excludes land in built-up areas such as residential gardens, so this matter is not relevant. The Framework states that good design is a key aspect of sustainable development and states at Paragraph 134, that development that is not well designed should be refused. It promotes an effective use of land in meeting the need for homes and to ensure healthy living conditions. However, in respect to achieving appropriate densities and the efficient use of land, the Framework requires account is taken of the desirability of maintaining an area's prevailing character. As outlined above I have found that this proposal would not be a good design and would be harmful to the area's character. It would not result in an efficient use of land and would not be sustainable development as defined in the Framework in this regard.
31. I have identified significant harm to the character and appearance of the area in this case and this would significantly and demonstrably outweigh the limited benefits of the proposal when assessed against policies in the Framework taken as a whole.
32. My attention has been drawn to other policies of the Core Strategy which are not in dispute in this case. However, for the reasons outline above I have found that the proposal would conflict with the development plan when taken as a whole and would also be inconsistent with the Framework.

Conclusion

33. Material considerations, including the Framework, do not indicate that the proposal should be determined other than in accordance with the development plan and the appeal is dismissed.

A J Sutton

INSPECTOR