



Appeal Decision

Site visit made on 1 October 2024

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2024

Appeal Ref: APP/V1260/W/23/3334876

866 Ringwood Road, Bournemouth, BH11 8NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by RCCV Development Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 7-2023-2318-1.
 - The development proposed is described as "sever land and erect 1 No 2 bed house with cycle parking."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Part of the reason for refusal was based upon the harm to the Dorset Heathlands Special Protection Area (SPA), Ramsar and Special Area of Conservation (SAC). During the appeal process the appellant provided a Unilateral Undertaking (UU) securing payment of required financial contributions.

Main Issues

3. The main issues are;
 - The effect of the proposed development on the character and appearance of the area;
 - Whether the proposed development would provide acceptable living conditions for future occupiers; and
 - The effect of the proposed development on the living conditions of nearby residents.

Reasons

Character and Appearance

4. The appeal site is an area of land located between dwellings fronting on to Ringwood Road and dwellings fronting on to St George's Drive. Ringwood Road is characterised by a mix of dwelling types and sizes set behind front gardens and parking areas. Although there is a mix of dwellings there is a consistency in the building line and use of red brick and render. The set back from the road and consistent building line give the area a spacious uniform feel.

5. St George's Drive has a pleasant consistency which is found in the strength of its urban grain, itself made up of two storey terraced dwellings in a single tier layout facing the back edge of landscaped walkways and shared road and parking areas. The design, landscaping, shared paving, and parking, in particular, are noticeable features that makes an important and positive contribution to the character of St George's Drive.
6. The proposed development would introduce a detached dwelling into this area of land. The proposed dwelling would face towards St George's Drive, although no access would be provided via this highway, instead being accessed in between houses that front on to Ringwood Road.
7. The proposed development would introduce a detached dwelling in the back land area behind dwellings on Ringwood Road. Land to the rear of dwellings, with the exception of smaller, ancillary buildings, are largely free from built form. The proposal would therefore be in marked contrast with the existing pattern of development and introduce an uncharacteristic second tier of development. The incongruousness of the proposals would be exacerbated by the building's lack of an active street frontage.
8. Whilst the proposed dwelling would be similar in appearance to the dwellings on St George's Drive, using a similar design and material palette, it would lack the active frontage, parking and landscaping that is a consistent and positive feature of St George's Drive. This would noticeably reduce the cohesive design of the area, upsetting its pleasant character. It would accordingly result in a development at odds with the character and appearance of the wider street scene.
9. The appellant has drawn my attention to a development of dwellings to the rear of frontage development on Paddington Road, near to the appeal site. I have not been provided with full details of this, however this is only one example in the area and does not demonstrate that back land development is the prevailing pattern of development in the area. Furthermore, this example does not appear to be visible from other roads. Notwithstanding that, I have determined the appeal on its own merits.
10. For these reasons, the proposal would unacceptably harm the character and appearance of the area. The scheme would fail to accord with Policies CS21 and CS31 of the Bournemouth Local Plan Core Strategy (2012) (CS), Policy 6.8 of the Bournemouth District Wide Local Plan (2002) (LP) and the guidance contained within the Residential Development: A Design Guide Supplementary Planning Document (2008) (SPD). These policies seek, amongst other things, to ensure that developments be of a good design and maintain and enhance the quality of the street scene. It would also be contrary to Paragraph 135 of the National Planning Policy Framework (the Framework) which seeks developments that are sympathetic to local character and establish or maintain a strong sense of place.

Future Occupiers

11. The proposed dwelling would be accessed via a walkway, approximately two metres in width, between two dwellings that front on to Ringwood Road. The main access to the proposed dwelling would be located on an elevation facing St George's Drive.

12. The appeal site is separated from St George's Drive by a wall which would be replaced with a hedgerow as part of the appeal scheme. The entrance to the proposed dwelling would be located approximately 1.1 metres from the proposed hedgerow. The Council are concerned that this would not provide adequate space to allow for easy access in to the proposed dwelling.
13. The submitted plans detail a walkway and entrance door that would provide sufficient space to manoeuvre into the property, including wheelchairs and prams. The appropriate management of the hedgerow would ensure that it would provide sufficient space all year round. Whilst some larger items may struggle with the access, an alternative route is provided through the garden and the double doors to the rear of the proposed dwelling.
14. In light of the above, adequate access to the proposed development would be provided. It would therefore comply with CS Policies CS21 and CS41 and LP Policy 6.8 which together seek, amongst other things, to ensure that developments give detailed consideration to means of access and enhance the amenities of neighbouring residents. It would also comply with Paragraph 135 of the Framework which seeks to create accessible places.

Existing Residents

15. The appeal site is located to the rear of five dwellings that front on to Ringwood Road. These comprise a short terrace of three dwellings and a pair of semi-detached dwellings which are separated by a 2-metre-wide walkway. The proposed development would be accessed via this walkway.
16. The Council are concerned that there would be an unneighbourly impact on the residents of these existing dwellings through occupiers being disturbed by future residents using the walkway. Two ground floor windows face the walkway in the existing dwellings, these are small obscure glazed windows.
17. However, the walkway also provides access to the rear gardens and cycle stores associated with the existing dwellings, as such it is likely that the existing residents would use the walkway. The introduction of pedestrian and cycling movements associated with a single dwelling, would unlikely harmfully intensify the use of this walkway.
18. In light of the above, adequate access to the proposed development would be provided. It would therefore comply with CS Policies CS21 and CS41 and LP Policy 6.8 which together seek, amongst other things, to ensure that developments complement and respect the amenity of neighbouring development and enhance the amenities of future occupiers. It would also comply with Paragraph 135 of the Framework which seeks development that have a high standard of amenity for existing and future users.

Other Matters

19. The Council acknowledges that it cannot demonstrate a five-year supply of deliverable housing sites. Consequently, Paragraph 11(d) of the Framework is engaged, whereby planning permission should be granted unless the adverse impacts of the proposal significantly and demonstrably outweigh the benefits.
20. The provision of an additional dwelling would be a benefit arising from the scheme as it would contribute towards the supply of housing. There would also be a small, time-limited economic benefit arising from the construction phase

of building an additional home. Future occupiers would contribute to the local economy and would live close to public transport options and within walking distance of a variety of services and facilities, thereby providing an environmental benefit.

21. Weighing against these benefits would be the significant harm arising from the development of the site. The proposal would deliver an additional dwelling, but in doing so would cause significant harm to the distinct character and appearance of the area. The above referenced CS and LP policies are broadly consistent with the Framework, as the Framework also requires development to be sympathetic to local character.
22. Whilst a key aim of the Framework is to significantly boost the supply of housing, when read as a whole the Framework does not suggest this should happen at the expense of other considerations. The adverse impacts in this case amounts to harm which carries substantial weight, and this thereby significantly and demonstrably outweighs the economic benefits and even the weight that derives from the social benefits, when assessed against the policies in the Framework as a whole. It follows that the presumption in favour of sustainable development does not apply.
23. In respect of the SPA, Ramsar and SAC, Habitats Regulation 63(1) states that a competent authority, before deciding to give permission, must make an appropriate assessment of the implications of the development of that site. Given my reasoning in respect of the main issues and that the appeal is dismissed, there is therefore no requirement upon me in that regard. Even if I were to find that the proposal was acceptable in this respect, it would be a neutral factor in my determination of the case.

Conclusion

24. The proposal would conflict with the development plan taken as a whole, and there are no considerations that outweigh this conflict. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

Tamsin Law

INSPECTOR