



Appeal Decision

Site visit made on 31 March 2014

by Nick Fagan BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2 May 2014

Appeal Ref: APP/G1250/A/14/2212454

11 Cumnor Road, Bournemouth, Dorset BH1 1JR

- 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 David Messias against the decision of Bournemouth Borough Council.
 - The application Ref 7-2013-25292, dated 2 July 2013, was refused by notice dated 20 November 2013.
 - The development proposed is the alteration, conversion, and addition of a second floor within a mansard roof to the existing building to form 10 No flats (5 No studios and 5 No 1-bed units), with associated access, parking, cycle storage and bin stores.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken into account the Government's Planning Practice Guidance, issued on 6 March 2014, in reaching my decision.

Main Issues

3. The main issues in this case are the effect of the proposal on the character and appearance of the area and the living conditions of occupiers in the proposed flats, with particular regard to outdoor amenity space.

Reasons

Character and Appearance

4. The property is situated in a densely built-up town centre location. Although the Victorian building appears to have been built as a detached house, it is now joined at its rear to the higher commercial buildings fronting Old Christchurch Road. Its whole frontage is surfaced in tarmac and given over to five car parking spaces. The tarmac path to the west side of the building also appears to comprise a fire exit from the night club in the adjacent commercial building. The building is very visible in the local street scene.
5. To the east are examples of similar Victorian buildings also joined to the later period shop premises in Old Christchurch Road, all now also converted into flats. Immediately to the west is a modern office building and its extensive car park from which the west elevation of the appeal site is clearly visible. On the

other side of the road is an 'island' of land (between Cumnor and Lorne Park Roads) occupied by two blocks of 1980s flats.

6. The appeal property has a distinctly run-down appearance and I note the appellants' intention to refurbish it as part of the proposal. However, the proposed mansard roof would not improve its appearance and would be an inappropriate and clumsy way of adding floor space to the property at odds with its Victorian character and appearance, regardless of the fact that the proposed dormer windows would line up with the existing window openings. In particular, the mansard would dominate the elevations of the building because it would appear top-heavy and overly bulky including as a result of its significant overhang.
7. Although the buildings behind the property fronting Old Christchurch Road are higher they do not have mansard roofs, and nor does the adjacent office building to the west. No 3 Lorne Park Mansions, the nearby block of 14 flats on the 'island site' opposite, accommodates a fourth floor in its roof space which slightly overhangs the lower storeys. However, that is not a true mansard as is being proposed in this scheme and does not justify such an inappropriate bulky mansard on this Victorian building.
8. Whilst the non-original dummy pitch roof to the front of the appeal building is different to the pitched and hipped roof on the main part of it, this has a relatively neutral and unobtrusive appearance. This would not be so for the proposed mansard, which would dominate the local street scene from north, east and west.
9. The Council are also concerned about the lack of soft landscaping to the frontage of the property and its dominance by car parking, bin stores and the proposed cycle shed. This and most of the adjacent properties, including the blocks of flats opposite, are all hard surfaced and given over to parking and bin storage. This is not unusual in such a town centre location. Whilst some soft landscaping would help to soften the frontage of this property and give it a more residential feel this would not be essential in such a busy city centre location, and the low cycle store would not dominate the property itself. The proposal would therefore comply with Policy 4.25 of the Bournemouth District Wide Local Plan [LP].
10. So whilst I consider the lack of soft landscaping to the property's frontage to be acceptable, I conclude that the mansard roof would significantly harm the character and appearance of the area, for the above reasons. It would therefore be contrary to Policy CS41 of the Bournemouth Local Plan Core Strategy [CS] and Policy D4 of the Bournemouth Town Centre Area Action Plan [AAP], which both require design of a character and appearance that respects and enhances its site and surroundings within the town centre.

Living Conditions

11. Apart from concern about the lack of frontage landscaping in terms of the character and appearance of the area, the Council also objects to the lack of outdoor amenity space for the residents of the flats.
12. The outdoor areas of the property are all hard surfaced, as are all the other residential flats in Cumnor Road and the blocks of flats opposite. Horseshoe Common, an urban park, is about a 200m walk away.

13. Although some soft landscaped garden space could be created at the frontage of the building it would seem to me that such a garden area so close to a busy service road at the back of commercial premises would be unlikely to be used significantly by residents of studio and one-bedroom flats, especially given its proximity to the road and the constrained size of the frontage.
14. Whilst the lack of garden areas is not ideal for occupiers of the proposed ten flats (especially bearing in mind the intensification of use of the premises from two to ten flats) there is at least sufficient space for adequate cycle storage for all the units and for three car parking spaces. Such units would clearly not be suitable for families with children and the proximity of the nearby Horseshoe Common would, I consider, be acceptable for the type of residents who would consciously choose to live in such a town centre location with all its available facilities. Indeed, Bournemouth Gardens, the pier and the beach are a relatively short walk away through the town centre.
15. The Council's relevant policies seem to take into account such town centre constraints. AAP Policy U2 speaks of providing outdoor amenity space where possible and seeking to provide such for everyday activities; this would include cycle storage. Given the location of the site frontage next to a busy road used to service adjacent commercial buildings, its constrained size and its existing open hard surfaced nature I conclude that the lack of outdoor amenity space does not constitute a sufficient reason to warrant dismissing this appeal, and complies with AAP Policy U2.

Other Matters

16. The appellant did not submit a Unilateral Undertaking within the statutory appeal deadline to address those parts of the Council's refusal reason relating to the need for various financial contributions to local infrastructure arising from the impact of the development. This included, according to the Council, the need for contributions towards open space and recreation facilities, nature conservation in order to mitigate the effects of the development on the south-east Dorset heathlands, transportation infrastructure, and affordable housing.
17. Even if an appropriately signed and completed Unilateral Undertaking had been submitted within the statutory appeal time limits, because the appeal fails on the main issue of character and appearance it would not have been necessary for me to have considered it in any detail.

Conclusion

18. The appeal fails because the proposal would significantly harm the character and appearance of the area for the reasons set out above. I therefore conclude that it should be dismissed.

Nick Fagan

INSPECTOR