



Appeal Decision

Site visit made on 15 June 2017

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

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

Decision date: 12 July 2017

Appeal Ref: APP/G1250/W/16/3165709

1 Lorne Park Road, Bournemouth BH1 1JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr D Messias against the decision of Bournemouth Borough Council.
 - The application Ref 7-2016-2035-H, dated 2 September 2016, was refused by notice dated 12 December 2016.
 - The development proposed is demolition of existing building and erection of 20 flats with associated parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline, with the matters of access, appearance, layout and scale for consideration. The matter of landscaping is reserved for future consideration. I have determined the appeal on that basis.
3. Whilst I have considered this appeal on its own merits based on all of the evidence before me, I have had regard to a previous appeal decision, Ref APP/G1250/W/16/3144880, for the demolition of the existing building and erection of 24 flats with associated access and parking on the site that was dismissed. Although a different scheme, that decision is nevertheless a material consideration.
4. The Council, in its decision notice, refers to its Affordable Housing Development Plan Document and The Dorset Heathlands Planning Framework Supplementary Planning Document. It also refers in its submissions to its Parking Supplementary Planning Document (Parking SPD). I have afforded those documents some weight due to their role in supporting the relevant development plan policies.

Main Issues

5. The main issues are the effect of the proposed development on:
 - i) the character and appearance of the surrounding area;
 - ii) highway safety in respect of provision for car parking and visibility at the junction of the southern vehicle access with the public highway.

Reasons

Character and appearance

6. The site is located prominently at the junction between Lorne Park Road and Cumnor Road. The latter consists largely of the backs of properties fronting onto Old Christchurch Road, with varying set-backs and generally offering little coherence. Indeed the backs of Nos 1 and 3 Lorne Park Road face that street. On the other hand, Lorne Park Road has a higher degree of formality and coherence with the fronts of properties on either side facing the street. Those buildings vary in design, height and massing but are generally set noticeably back from the street, maintaining a pleasing sense of spaciousness to the streetscene.
7. The proposed building would encroach noticeably closer to both of the adjacent roads than the existing building, and very close in places. Its height, massing and architectural detailing would not in itself be inconsistent with the variety of existing buildings fronting Lorne Park Road, and indeed I note that planning permission has previously been granted for a higher building on the site. However, it would clearly differ from those other buildings in terms of its noticeably closer proximity to the roadside boundaries.
8. That factor, given its substantial height and massing, would, in the context of that existing sense of spaciousness relating to Lorne Park Road in particular, cause the proposal to have a jarring and dominating effect within the streetscene, also appearing cramped on the plot. Such effects would be exacerbated by the prominent position of the site within the streetscene, particularly on the approach from the west. I therefore also do not consider that the proposal has adequately addressed those similar concerns, raised by my colleague in respect of the previous appeal scheme, about dominance of the spacious character of Lorne Park Road.
9. The existing building does not have any characteristics of particular merit such that its replacement would not be inappropriate in principle. However, neither is it out of place in the context of the variety of existing nearby buildings and so its replacement would not in itself be a significant benefit to the streetscene. Although there would be less hard surfacing than currently, that factor would be insufficient to mitigate for those above concerns.
10. The formality and front aspect of those flats facing onto Cumnor Road, in such close proximity to the street, would also not appear consistent with the distinctly less coherent nature of that streetscene. It would appear incongruous in that context.
11. I have had regard to other developments and planning permissions referred to by the appellant. However I saw that the circumstances of the location and surroundings of those other sites were different to that relating to the appeal. I have in any case determined this appeal on its own merits.
12. For the above reasons, I conclude on this issue that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. As such, in respect of this issue, it would be contrary to policies CS 21 and CS 41 of the Bournemouth Local Plan: Core Strategy (the Core Strategy), policy 6.10 of the Bournemouth District Wide Local Plan and policy D4 of the Bournemouth Local Plan: Town Centre Area Action Plan (the

Action Plan) which together, amongst other things, require development to be of high quality design and to maintain and enhance the quality of the streetscene.

Highway safety

13. On-street parking provision in the vicinity of the site is significantly restricted with either double yellow lines or limited duration pay and display. The Council has submitted some evidence to demonstrate the high demand for these spaces, and that parking on double yellow lines and partially on the footway also occurs. I also saw, albeit on a snapshot basis, that the on-street parking was heavily subscribed. Any additional demand for on-street parking resulting from the development would therefore be unlikely to be easily accommodated, and I concur in this respect with my colleague's similar findings in relation to the previous appeal.
14. The proposal would make provision for 10 off-street parking spaces, which the appellant confirms would be un-allocated. This falls short of the Council's parking standard by 5 spaces. This is regardless of whether, as the Council submits, the parking spaces would be sub-standard in size and not all easily accessed, that the curved basement access ramp would be too steep and narrow, and that there would be restricted turning space in the basement in the event the parking spaces were found to be fully occupied.
15. I note that the site is well located for pedestrian access to facilities and services to serve everyday needs such as shops, schools, leisure and health facilities as well as to public transport facilities. Car ownership is likely to be less than for locations further from the town centre. However, there is still likely to be a minimum demand for car use, to enable flexibility and choice of movement to all destinations, such as for leisure purposes and visiting people living further afield, and this is reflected in the parking standards. Provision for 20 cycle parking spaces would have the potential to encourage less car use over shorter distances. However, this would still be unlikely to replace that minimum demand for car use, particularly in respect of longer journeys. There could therefore be no guarantee that sufficient numbers of future occupiers would not own cars to justify the proposed lower level of off-street parking.
16. With a shortage of off-street car parking spaces, and existing high levels of on-street parking, there would be a likelihood that the proposed development would cause cars to be parked inconsiderately or illegally, with the risk of impeding the flow of traffic or visibility at road junctions. This in turn would have the potential for causing unusual vehicle movements and the risk of collisions. Cars parked up on footways would also have the potential to impede pedestrians and force them to walk into the road, again with the risk of collisions with vehicles.
17. The appellant highlights that there is an extant approval Ref APP-7-2015-2035-F for development of the site where the parking provision would not meet the Council's standards. However, whilst I do not have the full details and circumstances of that proposal, I note that this would involve the conversion of the existing building and be for significantly less flats, with a resulting lower level of parking demand. The circumstances are therefore different to the appeal scheme which I have in any case determined on its own merits based on all of the submitted evidence.

18. The appellant also refers to a number of public car parks in the wider area. However, those are not necessarily located within such convenient walking distance as to encourage regular use, particularly if also involving parking charges.
19. The close proximity of that part of the proposed building fronting Cumnor Road adjacent to the car park access would impede visibility splays along that road to the east on exiting the site. The splayed access design shown on the submitted plans would only address short range visibility. Insufficient evidence has been submitted to demonstrate that the necessary longer range sightlines to oncoming traffic would be achieved. The Council also highlights that the slope of the basement parking access ramp would have the potential to restrict visibility in the vertical plane with drivers waiting to exit the site at a lower level than the road. No substantive evidence has been submitted to demonstrate otherwise. In the absence of adequate visibility splays, there would be the risk of collisions between vehicles exiting the site and oncoming traffic.
20. For the above reasons, I conclude on this issue that the proposed development would be likely to pose a risk to highway safety in respect of provision for car parking and visibility at the junction of the southern vehicle access with the public highway. As such, in respect of this issue, it would be contrary to policies CS16 and CS41 of the Core Strategy and the Parking SPD which together, amongst other things, require all development to be well designed and for parking provision to be in accordance with the Council's adopted parking standards. It would also be contrary to paragraph 32 of the National Planning Policy Framework which states, amongst other things, that decisions should take account of whether safe and suitable access to the site can be achieved for all people.

Other matters

21. One of the Council's reasons for refusal relates to the failure to make an appropriate contribution towards measures to mitigate any potential adverse effect of the proposal on the integrity of the Dorset Heathlands Special Protection Area, Ramsar Site and Dorset Heaths Special Area of Conservation. The appellant has submitted, during the appeal process, a planning obligation to address this issue. The Council has confirmed its approval of that obligation. As I am dismissing the appeal for other reasons, it is not necessary for me to consider this matter in any further detail.
22. Another reason for refusal relates to a failure to make provision for affordable housing. The appellant disputes that provision should be made, not in principle but on the basis that the scheme would be unviable if it had to support affordable housing. In this respect I have had regard to the submissions including the appellant's viability assessment. However, even if the appellant is correct in his conclusions set out in that document, and that provision for affordable housing could not be made, I have found that there are compelling objections to the proposal in other respects.

Conclusion

23. The Framework sets out that there should be a presumption in favour of sustainable development and indicates that to achieve that, economic, social

and environmental gains should be sought jointly and simultaneously through the planning system.

24. The proposal would have the benefit of adding 20 additional dwellings to the supply of housing in the area. However, that would be insufficient to outweigh the unacceptable harm that the proposed development would cause to the character and appearance of the surrounding area and the likely risk that I have found would be posed to highway safety. As such, it would not be a sustainable form of development.
25. Therefore, for the above reasons, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR