
Appeal Decision

Site visit made on 5 November 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2019

Appeal Ref: APP/Q1255/D/19/3235579
265 Bournemouth Road, Poole BH14 9AH

- 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 Philip Thomas against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref APP/19/00408/F, dated 2 April 2019, was refused by notice dated 28 May 2019.
 - The development proposed is described as the 'removal of front garden to make parking spaces'.
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Decision

1. The appeal is allowed and planning permission is granted for the 'removal of front garden to make parking spaces' at 265 Bournemouth Road, Poole BH14 9AH in accordance with the terms of the application, Ref APP/19/00408/F, dated 2 April 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, 2367/02 and 2367/04.
 - 2) The first 2 metres of the site measured from the back edge of the Bournemouth Road footway line, shall remain clear of all obstruction over 600 mm above the level of the adjoining highway, with the exception of parked vehicles, in perpetuity.

Procedural matter

2. From my site visit and the evidence, I note that development has been carried out. However, the dropped kerb has only been extended over the 'driveway' frontage and not over the 'car parking' frontage (ref: drawing 2367/02).

Main Issue

3. The main issue is the effect of the proposed new parking, and associated intensification of vehicular movements, on the safe and efficient operation of the highway network in the vicinity of the appeal site.

Reasons

4. The appeal site is located on Bournemouth Road (A35) which is a main route in this urban area. Outside the site, pedestrian facilities exist on both sides of the highway and marked cycle lanes have been provided within the wide carriageway. Works have been carried out and the parties agree that two

additional parking spaces have been created, albeit one is less than the required standard length. The existing tandem parking provision has been retained. The additional parking would provide capacity for intensified vehicular movements from the dwelling. The accommodation provided within the dwelling would be unaffected.

5. I note from my site inspection a significant number of residential properties with similar off-street parking and no on-site turning facilities. Whilst I do not consider that these set a precedent and I have no evidence to indicate how these have come to be, I consider that they establish the character of the area. Vehicular movements on the highway to gain access and egress from these properties will therefore be a feature that regular users of this route, including pedestrians, cyclists, public transport users and drivers will be familiar with.
6. Furthermore, the Council acknowledge that the scheme has resulted in enhancements to highway safety. This includes improved visibility from the removal of the front boundary wall which benefits the host building and neighbouring property. Furthermore, the frontage parking only requires single vehicle movements, more preferable than tandem provision. I have not had the benefit of seeing the level of visibility before the works took place. However, I have no reason to disagree with these benefits and afford them some weight in my planning balance.
7. The proposal creates the capacity to intensify movements to and from the site. However, I have no evidence to indicate that the intensification of vehicular movements is likely to occur. I note that the host dwelling appears to be a modest family home and that the level of accommodation is not changing as part of this scheme. I also note the urban location and convenient access to services and facilities by other modes than a private vehicle.
8. Furthermore, I am mindful that this development is retrospective and that the works were completed in March 2018. No evidence that may support a highway safety hazard, such as accident data during this period of operation, has been provided to help substantiate the concern. Moreover, I note that the Council make no objection in terms of technical details such as visibility requirements.
9. Nonetheless, I have observed that the site is located on a bend and this limits views in both directions. Furthermore, I can understand the concern of additional vehicles manoeuvring into and out of the site given the busy nature of this road and the lack of turning provision. Therefore, the Council's suggestion of limiting the existing tandem parking is understandable in order to try and enhance highway safety from the development. However, the appellant's justification for not doing this is reasonable as they wish to retain vehicular access to their garage.
10. Based on the evidence available to me I consider that the provision of additional car parking raises the capacity for additional movements. However, I am unconvinced that additional movements, over and above the existing, are likely, in practice, to regularly occur. In any event, I consider the impact is likely to be no more than modest. Furthermore, I am drawn to the agreed benefits of the scheme and these go some significant way to mitigate the modest effect on highway safety.
11. Therefore, in conclusion on the main issue, the proposed new parking and associated intensification of vehicular movements would, overall, not have a

demonstrably harmful effect on the safe and efficient operation of the highway network in the vicinity of the appeal site given the agreed enhancements provided. On balance, the proposal would accord with policies PP34 and PP35 of the Poole Local Plan (November 2018) which amongst other aims seeks to deliver a safe, connected and accessible transport network and requires new development to provide safe access to the highway.

Conditions

12. The Council have requested two conditions in relation to the carrying out of the permission in accordance with the approved plans and ensuring that the frontage remains clear of obstruction. I find the conditions are reasonable and necessary to provide certainty and to protect highway safety. I have made minor alterations to reflect the works that have been carried out.

Conclusion

13. On balance, for the reasons given above I conclude that the appeal should be allowed.

James Taylor

INSPECTOR