The Planning Inspectorate

Appeal Decision

Site visit made on 16 June 2020

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2020

Appeal Ref: APP/V1260/W/20/3246150
99 Columbia Road, Bournemouth, BH10 4EB

- 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 Phillipson-Masters against the decision of Bournemouth, Christchurch and Poole Council.
- The application Ref 7-2019-27428, dated 4 September 2019, was refused by notice dated 6 December 2019.
- The development proposed is the erection of a one-bedroom bungalow with associated parking.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The second reason for refusal explains that the scheme was unacceptable because it failed to make an appropriate contribution towards Strategic Access Management and Monitoring (SAMM) to mitigate the effect of the proposal on the Dorset Heathlands Special Protection Area (SPA), Ramsar site, and the Dorset Heaths Special Area of Conservation (SAC) (the habitats sites). Subsequently, a Unilateral Undertaking (UU) has been submitted to seek to address this matter and also an advance payment direct to the Council has been made for SAMM. The Council was given the opportunity to comment on whether this addressed the reason for refusal. On the basis that they appear to have accepted the advance payment I assume that it is satisfied in respect of this issue and I will return to this matter later.

Main Issue

3. In the light of the above, the main issue is the adequacy of car parking provision and its effect on parking stress and highway safety.

Reasons

4. Policy CS16 of the Bournemouth Local Plan: Core Strategy (October 2012) (the Core Strategy) requires that parking provision for new developments shall be in accordance with the Council's adopted parking standards. The adopted parking standards are set out in Parking – Supplementary Planning Document (adopted July 2014) (the Parking SPD). As the benchmark parking standards are on a zonal basis, they reflect the policy approach to setting local parking standards in the National Planning Policy Framework (the Framework) and therefore I afford the Parking SPD significant weight.

5. The Parking SPD includes a section regarding variation from the parking standards although it is explained that the general presumption is that sufficient car parking should be provided within the development in accordance with the benchmark figures for the appropriate zone. The Parking SPD says that displacement parking in surrounding streets to accommodate the level of parking demand required is not supported, unless sufficient and adequate on-street capacity has been demonstrated to the Council's satisfaction. A parking stress survey is one such method to demonstrate whether there is on-street capacity to absorb any displaced parking.

6. The information indicates that the existing dwelling has 3 bedrooms. An area has been formed in the front garden area to accommodate a car parking space. There is also a car port (behind doors) to the side of the property, although this has a reasonably restricted width, and a space in front of the car port. The garage in the back garden could be accessed via the car port but the narrow width of the garage door would not make its use convenient. There is in practice therefore about 2 or 3 spaces available to this property. The Highway Authority has indicated that in accordance with the Parking SPD for Zone 3 the existing property requires 2.3 spaces which is rounded up to 3 car parking spaces. Consequently, the existing property broadly meets the benchmark parking standard.

7. The proposal would include the removal of the side car port and the rear garage to allow a vehicular access to the rear area and the provision of a bungalow with 2 car parking spaces. The evidence indicates that the proposed bungalow would require, in accordance with the benchmark standards, 2.2 spaces which would be rounded up to 3 spaces. The effect of the proposal would be to reduce the spaces available to the existing property to one. As a consequence, in accordance with the benchmark parking standards, the existing property would be 2 short and the proposed bungalow would be one short. Overall there would be an under provision of 3 spaces.

8. The case is made that the site is in a very sustainable location with ready access by foot and public transport to local facilities and services. A bus route passes directly along Columbia Road. Furthermore, the appellant has undertaken a parking stress survey in support of the application. This has found during the survey periods there was spare capacity in the most adjacent road and these spaces were generally in the distance of between 100m and 150m from the site.

9. I am aware that car free developments have been permitted along Columbia Road in the past and the appellant has highlighted a number of examples. My attention has been drawn, in particular, to the bungalow at 97 Columbia Road which was permitted within the adjoining rear garden in 2016 with no car parking. This decision was made with the same development plan policies in place and the justification, in part, for that approval was based on a parking stress survey that persuaded the Council that the scheme was acceptable.

10. While I have had regard to all this information, traffic and parking provision in the area generally is a dynamic situation. Because residential development in the past has been allowed with few or no spaces this does not necessarily in itself justify that further development would be acceptable in the present circumstances. I do not consider that the site is so well located that most future occupants of the existing and proposed properties would not, in all

likelihood, require some use of a private vehicle or vehicles and therefore space to park. In these circumstances, particularly as the benchmark parking standards are set on a zonal basis, I am not satisfied that taking a more flexible approach to the parking standards would be appropriate and I consider that there is no convincing reason why the site and adjoining area should not require the 6 spaces.

11. Columbia Road is a District Distributor Road and from the evidence before me, and from what I witnessed at the site visit, although only a snap shot in time, it appears to be a busy road. There are some limited spaces available to park on the road but much of the road has double yellow lines. The evidence provided by the Highway Authority is that drivers at times park in the stretch of road in the vicinity of the appeal site partly on the footway and partly on the road. This inconveniences footway users and also reduces visibility for drivers of vehicles leaving the appeal access and other similar accesses in the vicinity, even though parking wholly on the road may be lawful. It seems that drivers partly park on the footway to assist with the free flow of traffic. The Highway Authority has shown photographs of this footway parking and I also witnessed such parking at my site visit. I have no substantive evidence to consider that this information does not highlight a regular situation.

12. The appellant makes the case that the parking stress survey shows that there are spaces available to avoid the need for unauthorised and inconvenient parking. However, the evidence before me is that drivers are still parking on the footway in the vicinity of the site. If other spaces in nearby roads were readily available and considered convenient then, it seems to me, the parking on the footway would be less likely to be taking place.

13. The Highway Authority explains that their advice in the Parking Survey and Assessment Note (2011)(the Parking Survey Note) is that the stress test should be based on an area within 100m of the site. I understand the case made by the appellant in this regard and the reference to the practice of other Councils, however, I have found no substantive justification to consider that the approach of the Council in this respect, in the light of local circumstances, is unreasonable. In this case, most of the spaces available in the stress survey were beyond 100m and would not accord with the approach to assessing parking availability in the Parking Survey Note. This leads me to conclude, in accordance with the approach that at times there appears to be few spaces available to accommodate displacement parking from the appeal site.

14. I have no robust reasoning why, in all likelihood, future occupants of the existing and proposed dwellings at the appeal site, and potentially their visitors, if unable to park on the site themselves, would not act in a similar way to the existing drivers of the vehicles who park in the area. Consequently, the parking in Columbia Road in the way presently taking place on the footway would be likely to increase.

15. In these circumstances, the under provision of parking spaces in relation to the existing and proposed dwelling, would be likely to lead to an increase in type of car parking presently taking place along the road frontage area. Such parking partially on the footway is likely to cause inconvenience and potential danger to pedestrians and would adversely affect the visibility and thereby the safety of drivers leaving the application site and from adjoining properties. I consider that this would be contrary to the highway safety advice in the Framework.

16. While it may be said that unauthorised parking on the footway could be addressed by the authorities I have little evidence that this has been the case and were such parking to be moved from this location it would be likely to displace car parking into adjoining roads where there appears, in the proximity to the site, to be a general lack of available spaces.

17. The car parking spaces and turning area proposed for the bungalow would be very tight. However, I do not consider that the provision of the turn table would be unacceptable such that it would necessitate reversing back along the narrow drive to the road. In this respect I find no harm from that element of the proposal. Also, while the front parking space for the existing dwelling would necessitate reversing movements either to access or egress the space from the road, and this would be a less than optimum arrangement, as this space exists and will continue to be used whatever the outcome of this appeal this does not add to the harm in this case.

18. Saved Policy 8.2 of the Bournemouth District Wide Local Plan (February 2002) (the Local Plan) states that access to District Distribution Roads will be limited. In this case, the access with the dropped kerb is existing but the scheme would, in all likelihood given the additional dwelling, increase vehicles to and from the District Distribution Road. As I have found harm to highway safety I am not satisfied that this is a situation where the additional movements should be allowed within the terms of limiting access onto the road as set out in saved Policy 8.2 of the Local Plan.

19. Taking all these matters into account, I conclude that the under provision of car parking spaces on the existing and proposed property is likely to lead to displacement of car parking in the adjoining roads adding to parking stress and/or, in all likelihood, would increase car parking in the road in front of the property and thereby would lead to inconvenience and harm to the safety of highway users. Accordingly, the scheme would conflict with Policies CS16 and CS41 of the Core Strategy, saved Policy 8.2 of the Local Plan and the Framework which seek, amongst other things, to contribute positively to the safety of the public realm and limit access to District Distributor Roads.

Other Matters

20. The case is made that the effect on the habitats site would be mitigated by the contribution via the Community Infrastructure Levy and for SAMM by the payment and UU. Were I minded to allow the appeal I would need to consider this matter further and, in particular, whether the necessary mitigation for SAMM would be effectively secured because of the way and the amount that has been proposed. However, in the light of my overall conclusion I do not need to consider this matter further.

Planning Balance and Conclusion

21. The construction of the dwelling would provide a small addition to the supply of housing in a location with good access to services and facilities. There would be social and economic benefits to the local economy during construction and in subsequent occupation, although these would be to a limited degree due to the scale of the proposal, and in respect of construction would only be for a limited time. The proposal would make efficient use of the site in a way that did not harm the character and appearance of the area or affect the amenities of

adjoining occupiers. However, as only a single dwelling would be delivered the cumulative benefits of the proposal afford limited weight.

22. On the other hand, the inadequacy of car parking is such that this would lead to inconvenience and harm to the safety of highway users. This harm is a matter that affords substantial weight.

23. I have limited information as to whether the Council is able to demonstrate a Framework compliant supply of deliverable housing land. Even if the required supply could not be demonstrated, in this case the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Consequently, the scheme would not be sustainable development and this weighs heavily against the proposal.

24. For the reasons given above, the scheme does not comply with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict. I therefore conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR