



Appeal Decision

Site visit made on 3 September 2020

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 11 September 2020

Appeal Ref: APP/V1260/W/20/3252330

29-31 Southcote Road, Bournemouth BH1 3SH

- 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 Ratan Lal against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2019-5626-K, dated 8 August 2019, was refused by notice dated 14 November 2019.
 - The development proposed is described as demolition of the existing building and the erection of a block of student accommodation/serviced apartments (22 units) with bin and cycle stores.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with the matter of landscaping solely reserved for future consideration.
3. The description of development above is that provided on the application form. I have however removed the phrases 'outline submission for the' and 'revised proposal' as these do not describe acts of development.
4. The Council assessed the application on the basis that student accommodation solely was proposed. It has since acknowledged that the proposal has broader scope. Indeed, both the description provided on the application form, and the explanation provided within the Design and Access Statement (DAS) clearly indicate that the accommodation would also operate as serviced apartments. This would be outside term time, and would meet a summer demand, presumably for holiday accommodation. Accordingly, I have considered the appeal on the basis that the development would provide both student accommodation and serviced apartments.

Main Issues

5. The main issues are the effects of the development on:
 - living conditions with regard to: (a) whether the development would provide an acceptable standard of accommodation for future occupants in relation to outlook, and the provision of internal living and outdoor amenity space; and, (b) its effect on the outlook of occupants at 27 Southcote Road;

- the effect of the development on the safe and efficient use of the highways; and
- the effect of the development on the character and appearance of the area.

Reasons

Living conditions

6. To assist in reading, this matter is split into 3 subsections which are jointly concluded in subsection (c).

(a) Future occupants

7. Occupancy of the development during its summertime use as serviced apartments would presumably be short term. That said, no clear or detailed supporting information has been provided. It is however clear that students would be resident within the flats for substantial periods during term time.
8. As proposed, the 4 flats on the ground floor would all be provided with obscure glazed windows. Though the flats would also have rooflights, there would be no clear view out of the flats other than through the roof. The appellant has indicated that the windows could be clear glazed instead. I agree. However, the outlook would be little improved, as the view would be directly towards a blank brick wall. The same wall would be visible through the rooflights. The effects would be oppressive, and the harm thus caused would be accentuated by the amount of time students would be likely to spend within the flats.
9. Given the much closer proximity of windows to the rear of the plot within the appeal scheme than exists at present, these effects cannot be justified by the poor quality of the existing outlook. Thus, whether the windows were obscure glazed or not, the quality of outlook provided would be unacceptably poor.
10. I note that planning permission, reference 7-2018-5626-J, has been granted to replace the building to the rear. However, I have not been provided with any confirmation of if and when that development will proceed. Furthermore, based on the details provided within the appellant's DAS, the approved building would also feature a substantial blank wall in much the same position as that of the existing building. The outlook from the ground floor flats would therefore be unacceptably poor whether the development to the rear took place or not.
11. Flats within the roof at the front of the building would be provided with rooflights only. Though I have not been provided with a cross section through this accommodation, it is apparent that the view out of the flats would be very limited. Indeed, depending upon the stature of the occupant, little more than the sky might be visible. Again, the poor quality of outlook would have an oppressive effect.
12. The Council has not made reference to any adopted or other internal space standards in its assessment of the living accommodation proposed. Nonetheless, at 9.2m², accommodating a bed, bathroom, study space and storage, the smallest of the flats would clearly be very cramped. Indeed, furnished as indicatively drawn, space would be so limited that the windows serving these flats would be accessible only by climbing over the beds. Little scope appears to be available for reorganisation.

13. Communal living space would also be provided. However, when considering the size of the community this would serve, it would be impractically small. With particular regard to the kitchen area, it has not been demonstrated, and nor is it clear, how food and utensil storage, cooking, washing and waste facilities for 22 could possibly be accommodated within the small space shown. There would also be an obvious conflict between the use of the kitchen and the flats immediately adjacent in terms of both access and noise. The availability of communal living space would not therefore compensate for cramped conditions within some of the flats.
14. I more broadly acknowledge the appellant's promotion of 'communal' living, and that an element of communality is not unusual within student accommodation. However, little explanation of how this would work in practice for a large informal community of 22 has been provided, or how this would justify the very limited size of the communal areas proposed.
15. The Council notes that there would be a lack of accessible outdoor amenity space. However, in the context of the uses proposed, the specific requirement for, and likely uses of such space is unclear. Furthermore, the Council has not provided any explanation. Notwithstanding the issue of accessibility, as I can see no reason why outdoor amenity space would be essential in relation to student accommodation/short term serviced apartments, the appeal scheme's lack of outdoor amenity space would not be harmful in itself.
16. In summary, I find that notwithstanding the fact that no harm would arise to future occupants due to the lack of outdoor amenity space, the development would provide an unacceptable standard of accommodation in relation to outlook and internal living space.

(b) No 27

17. The plot boundaries of No 27 are much tighter than those of the appeal site. The little space which presumably once existed beyond the main 2-storey rear elevation appears to have been filled by a single storey flat roofed structure. Access onto the roof of this structure appears to be possible, though the section adjacent to the boundary of the appeal site is very narrow, and thus offers very limited potential for use. Though a larger space does exist beyond, this is screened from the appeal site by the rearward projection of No 27 itself. The outlook from the roof space is otherwise constrained by other development both to the rear and side.
18. The height and mass of the proposed building would be considerably greater than that of No 27, and it is likely that upper sections of the building would be visible from the roof space. However, when taking the above factors into account, as too the fact that the 2-storey element of the proposed building would extend no further back than that of both the existing building and No 27, it is unlikely that any direct sense of overbearing would arise. As such, the quality of outlook from No 27 would not be unacceptably harmed.
19. In summary, I find that no unacceptable harm would be caused to the living conditions of occupants at No 27 in relation to outlook.

(c) Living conditions: conclusion

20. For the reasons outlined in subsections (a) and (b) above I conclude that whilst the development would not harm the living conditions of occupants at No 27 in

relation to outlook, nor those of future occupants of the development in relation to outdoor amenity space, it would nonetheless provide an unacceptable standard of accommodation for future occupants in relation to both outlook and the internal living space. As such the development would conflict with Policy CS41 of the Bournemouth Local Plan: Core Strategy 2012 (the CS) which amongst other things seeks to secure a high standard of amenity for future occupants, and similar provisions relating to amenity set out within the National Planning Policy Framework (the Framework).

Highways

21. The Parking Supplementary Planning Document 2014 (the SPD) requires the provision of one parking space for purpose-built student accommodation. However, though one space would be provided as part of the appeal scheme, the scheme itself would fall outside the scope of this category. This is because it would not be a hall of residence, and nor would it serve solely as student accommodation. The SPD thus indicates that the scheme's parking requirement must be agreed with the Highways Authority (the HA).
22. On the above basis the HA has sought to statistically quantify potential parking demand based on broader rates of vehicle ownership by students not living on campus. This is a reasonable approach given that the students residing in the proposed accommodation would fall within this category. Taking into account the parking demand generated by the existing development, the HA calculates a minimum shortfall of 3 spaces.
23. Neither party has given any further detailed consideration of the need for and implications of parking in relation to summertime use of the development as serviced apartments. This could however generate a much higher demand for parking than term time use by students. In this regard the SPD generally requires the provision of one parking space per bedroom for serviced apartments. The shortfall if considered on this basis would be of 18 spaces.
24. Scope for parking on-street along Southcote Road is limited to the side of the street on which appeal site is located. During my daytime visit there was no parking space available on-street near to the site, and the availability of space along adjoining streets was very limited. I see no reason to believe that this was unusual, particularly in view of the number of dwellings and businesses present along or accessed from Southcote Road, and the proximity of the street to the town centre.
25. During my visit I also observed vehicles parked and parking in restricted areas, including on the pavement. Here the vehicles formed an obstruction to both traffic and to pedestrians, which was made more hazardous by manoeuvring on the pavement. Again, I see no reason to believe that this was unusual in view of the very limited supply of on-street parking space within the immediate vicinity.
26. Future occupants of the development would therefore have great difficulty parking on-street near to the site. Though spaces might be found along streets in the broader area, there is no certainty of this, and the distances required to be travelled could be considerable. Even where future occupants were successful in finding space nearby, the likelihood is that other vehicles normally parked on street would be displaced. These factors would together increase the likelihood of inappropriate parking along Southcote Road, exacerbating the

- adverse effects noted above. This would be true whether the increase in demand generated by the development was for 3 spaces, for 18 spaces, or for a number of spaces somewhere in-between. The severity of likely impact would however clearly increase with the level of shortfall.
27. I acknowledge that illegal parking is the subject of enforcement. It nonetheless occurs, and the probability of this occurring along Southcote Road would be likely to increase with demand if no other space was made available as part of the development.
28. I note that the appellant has prepared a Student Management Plan (the SMP) which sets out arrangements for students arriving and departing the accommodation. However, whilst some such students would be dropped off and picked up, some might bring their own vehicle. The SMP would not therefore resolve problems likely to arise during term time.
29. I also acknowledge that bicycle parking would be provided, and that a good level of access to public transport would exist. However, though students might make use of travel options, their availability would again not prevent students from keeping and making use of private motor vehicles instead.
30. For the reasons outlined above I conclude that the development would be likely to give rise to unacceptable effects on the safe and efficient use of the highways. The development would therefore conflict with Policy CS16 of the CS which states that parking provision shall be accordance with the adopted parking standards; Policy CS41 of the CS, which amongst other things seeks to secure development which contributes positively to the safety of the public realm; saved Policy 5.35 of the Bournemouth District Wide Local Plan 2002, which permits student accommodation subject to criteria which include the appropriate provision of car parking; and the SPD.

Character and appearance

31. Southcote Road is a long street, but one which falls into a number of reasonably distinct sections. The section most relevant to the appeal proposal is that between its junctions with St Swithun's Road and Gardens View. This contains a mix of buildings whose height, mass and design generally varies, notwithstanding some pockets of consistency. Within this context the existing building adjoins and is generally similar to No 27.
32. The proposed building would exhibit a marked increase in height, massing and scale relative to the existing, despite some continued similarities in terms of design detail. The increase in the proportions of the replacement building would be emphasised in contrast with No 27, and by the depth and extent of the side gable, which would be a visually prominent feature given the adjacent gap in the street frontage.
33. The height, massing and scale of the proposed building would not however fall outside the scope of existing variation along Southcote Road. Moreover, the development would be viewed against a backdrop of buildings whose scale and or mass is much more substantial than that of the building proposed, and alongside a bulky commercial building which features a substantial gabled frontage. For these reasons, despite the contrast with No 27, the development would not appear either unduly harmful or obtrusive, when viewed within the context of the surrounding setting.

34. The replacement building would fill a more substantial proportion of its compact plot than is filled at present, increasing the overall proximity of development on the site to buildings to the rear. This would be clearly visible across the adjacent car park. In this regard however the development would not appear wholly atypical or incongruous. This is because many other plots along the side of the road on which the appeal site is located are of similarly compact size, and well developed, often also with other buildings close to the rear. No 27 provides the most immediate example of this. As such the site would not be perceived as either congested or overdeveloped.
35. As noted above, the detailed design of the proposed building would be generally similar to that of the existing building. In this regard there appears to be no necessity for the details to identically match. Finer details could otherwise be agreed by condition. The inset parking space in the frontage would be unusual, but not a unique feature given that other buildings within the immediate streetscene incorporate integrated garages. As such I consider that no harm would be caused by the detailed design of the proposed development.
36. For the reasons outlined above I conclude that the development would have an acceptable effect on the character and appearance of the area. It would therefore comply with Policy CS41 of the CS, which seeks to secure development which respects the site and its surroundings; Policy CS21 of the CS, which, with regard to intensification, states that proposals should contribute positively to the character of the neighbourhood; supporting advice within Residential Development: A Design Guide 2008; and related provisions of the Framework.

Other Matters

37. The lack of avoidance/full mitigation of the likely significant effects that the Council considers that the development would have on the integrity of the Dorset Heathlands Special Protection Area and Ramsar sites, and the Dorset Heaths Special Area of Conservation, was a reason for refusal of planning permission. In each regard mitigation is covered by a combination of Community Infrastructure Levy payments towards infrastructure projects, and financial contributions towards Strategic Access Management and Monitoring (SAMM). The Council indicates that Natural England (NE) has suggested that these effects could be ruled out subject to the accommodation being solely for students, and closely managed. NE's view however differs in relation to development which also provides other forms of accommodation, as is proposed. In this regard a condition which nullified the benefits of the permission by restricting its scope to student accommodation only would not be appropriate. Therefore, had I been minded to allow the appeal, and the circumstances therefore existed in which planning permission could be granted, it would have been necessary for me to examine this matter in greater detail, and to undertake an Appropriate Assessment. However, as I am dismissing the appeal for other reasons, no further consideration is required.

Conclusion

38. The proposed development would not harm the character and appearance of the area, the living conditions of occupants at No 27, or those of future occupants in relation to outdoor amenity space. It would nonetheless provide an unacceptable standard of accommodation for future occupants in relation to

outlook and internal living space, and give rise to likely adverse effects on the safe and efficient use of the highways. There are no considerations which alter or outweigh the harm that would arise. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR