
Appeal Decision

Hearing held on 16 & 17 September 2020

Site visit made on 21 September 2020

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2021

Appeal Ref: APP/V1260/W/20/3244741

Hotel Riviera, 5 West Cliff Gardens, Bournemouth BH2 5HL

- 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 AJ Developments Ltd against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2019-8921-E, dated 5 July 2019, was refused by notice dated 7 November 2019.
 - The development proposed is the demolition of existing building and erection of 14 residential apartments with associated access and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline, with appearance and landscaping reserved matters. I have considered the appeal on the same basis and assessed the drawings as merely indicative insofar as they refer to the reserved matters.
3. New evidence concerning the hotel use was submitted by the appellant on the first day of the Hearing. The Council was offered the opportunity to adjourn to consider this, but was able to deal with it directly, in-hand.
4. On the second day of the Hearing the appellant submitted new evidence about another issue, the viability of the proposal as concerns affordable housing, for the Council's consideration of which, the Hearing was adjourned. Following its consideration of the new evidence, the Council withdrew the reason for refusal about lack of affordable housing, and the Hearing was closed in writing.

Main Issues

5. The appeal site lies within 5km of the Dorset Heathlands Special Protection Area (SPA), the Dorset Heaths Special Area of Conservation and Ramsar site, and the Poole Harbour SPA and Ramsar site. The Council has undertaken an appropriate assessment identifying likely significant effects which would arise from the proposed development, concluding that the measures necessary to prevent the adverse effects may be secured through a legal agreement and the payment of the Community Infrastructure Levy.
 6. The appellant submitted a unilateral undertaking during the appeal which would secure the financial contributions to strategic access management and
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monitoring sought by the Council, who has withdrawn the reason for refusal in this regard. I have no reason to disagree with that position. Therefore, taking account of all that I have read, heard, and seen, the main issues in this appeal are:

- A. Whether the proposed development would preserve or enhance the character or appearance of the West Cliff and Poole Hill Conservation Area;
- B. The effect of the proposed development on the living conditions of the future occupiers of this development, as well as the future occupiers of the building with planning permission to the west of the site;
- C. The effect of the proposed development on the living conditions of surrounding occupiers, with particular regard to the occupiers of Seacroft Court;
- D. Whether the hotel is viable and has any prospect of continuing, and the effect of its loss on the function of the area in relation to tourism, and the local community; and,
- E. Whether the proposed development should mitigate any effect on the public highway.

Reasons

A. The West Cliff and Poole Hill Conservation Area

- 7. There was agreement at the Hearing that the Council's draft CA appraisal and management plan (CAA) for the West Cliff and Poole Hill Conservation Area (CA) has the measure of what makes it significant. It describes the late C19 sections which it encompasses, including the tightly-packed shopping area, the ornamented terraces of guest houses, and the looser-grained sections of large hotels set in grounds developed as a fashionable residential suburb when the population of Bournemouth tripled, and when West Cliff provided a hilltop district for the prosperous middle classes.
- 8. The section of the CA within which the appeal site is located is described as one of large villas and hotels sited to obtain the best sea views, of prestigious villas, and seafront plots with a cachet. A historic photo of the section around the appeal site shows 4 large villas and 2 long terraces descending to the public gardens on the cliff top, apparently not long after construction. The buildings share an opulent Victorian architecture, the villas set spaciouly apart with sweeping roofs pierced by observatories, arranged vertically with large windows and traditional materials of brick, timber and ironwork, the long terraces highly articulated with steep gables and tall bays marching towards the sea.
- 9. The buildings in this section have undergone successive alterations of varying sensitivity, most noticeably to accommodate the car and additional rooms, such that the appeal building is considered, in the Council's appraisal, as a neutral contributor to the CA. I find the untypical, broad form of the mansard encapsulating the appeal building and the disruption of its alternative fenestration to detract from the striking Victorian roofscape of the buildings which make this section distinctive. The removal of this blight in the CA counts in the balance of any proposal to redevelop.

10. Western building line: The footprint of the existing building appears to have changed little. Its west flank aligns with the four buildings which recede down West Cliff Gardens, the tall canted bay of its corner reflecting the paired bays of these neighbours. Like them it has a street frontage to the west, from which the entrance to the building leads. The replacement building would shift the building footprint substantially forward of that common line, breaking the consistency in the siting pattern of development in this section, a principal spatial characteristic of the significance of the CA.
11. Views from town towards the sea: Another aspect of the present western building line position is the view the alignment affords towards the public gardens and the sea, from the road. The draft CA appraisal refers¹ to the sea view framed by the end of the facing terraces of Durley Gardens as one of the great moments of drama, with similar open sea views at street ends framed by large villas at the south end of West Hill Road, St Michael's Road and West Cliff Gardens.
12. The views in St. Michael's Road and West Hill Road are broad and opened out by the road running parallel to the clifftop. They are quite different to the narrower footpaths which lead from Durley Gardens and alongside the appeal site which are more enclosed by trees or buildings and have a more intimate character. The present building on the appeal site shares a similar relationship in its position relative to the footway and to the view its siting allows as the buildings at the end of Durley Gardens. Like the view from Durley Gardens, the view from the street past the appeal site provides a tantalising glimpse of the prize to be discovered beyond the buildings enclosing the street; the clifftop, public gardens and the sea beyond.
13. The proposed shift of building line towards the west would diminish a substantial part of the breadth of this view from the street. I appreciate that the proposed west building line would reflect the line of the building permitted to its west. However, the footprint of the previous building on that site extended close to the path, already obscuring a section of the view. Moreover, the broader set-back of building lines beside the present building on the appeal site and beside the similar footway at the end of Durley Gardens demonstrate the elegance of the arrangement of buildings which provide destination views through the CA. To reduce the view beside the appeal site through to the public gardens and sea, so drastically, would diminish this distinctive spatial feature of the CA.
14. Southern building line: Aside from the west line, the proposed building would extend its southern line substantially further towards the public gardens which separate the town from the sea. The building presently on the appeal site shares a similar southern line as the two villas to its west, and in turn, the long terraces to their west. I acknowledge that the southern line of development in this section is not in perfect alignment. Some of the buildings have been extended to varying degrees towards the sea. Nonetheless, in the context of the distance between these buildings, the deviation in their alignment is insignificant.
15. The congruence of this southern line of development, which parallels the clifftop path through the public gardens, is no accident. It is a characteristic element of the CA's pattern of development, an example of Victorian

¹ CAA page 44, paragraph 4

architectural good manners in setting-out buildings beside public gardens. This sensitive line not only avoids the risk of buildings overbearing the public gardens, it also provides a buffer between them and the gardens, which maintains their spatial character.

16. I appreciate that the proposal would follow broadly the same southern line of the building to be developed to its west. However, the Council explained how permission for that building was influenced by the planning history and existing footprint and mass on that site, which extended further south than the existing building on this site. It now considers that is not an example to replicate in terms of building lines.
17. Moreover, whatever the justification for the neighbouring development's position, it would be a single breach of that distinctive southern line. The effect of the double breach with this development would compound the effect of the incongruent siting. Furthermore, the proposed building and its neighbour would not stand in isolation. The buildings further to the west, and the alignment of their southern lines, would remain. The disruption of the congruence of this distinctive southern building line would undermine part of the spatial character of the public gardens. More significantly, it would disrupt the consistency of the spatial arrangement of buildings within the CA, degrading its historic significance.
18. Form: The proposed building would stand on a substantial plinth. While this would taper away with the rise of the land heading towards the town, it would nonetheless stand-out as an alien form of grounding to a building in the CA where the buildings more typically rise simply from the ground rather than stand on artificial promontories, particularly so towards the public gardens.
19. Layout: The Council was critical of the layout of the proposed building, in particular the lack of a sense of arrival at the building and the lack of legibility of its entrance. While appearance and landscaping are reserved matters, the layout shows a meagre, utilitarian transition from the public area of the street to the semi-private domain of the building, constrained by the narrow gap between the building and the site boundary which would be partly filled by the hydraulic bin stores.
20. All these factors indicate that the proposed development would harm the spatial character and the appearance of the CA and undermine some of the key elements of its significance. However, against this harm must be set the positive design aspects of the proposal, and not least, the removal of the roof level eye-sore and disordered fenestration of the existing building.
21. The footprint would follow the northern line established by the buildings to the west, and it would open-up a gap on the eastern boundary of the site presently occupied by an extension. Providing a below-ground car-park would have the potential to restore a landscape setting to the building presently dominated by cars and tarmac. The building would not rise significantly higher than the present building and its eaves would be substantially lower. The drawings indicate the return of gables and hipped roofs which would be more akin to the language of the CA than the platform roof over the present building.
22. These positive aspects, however, would not mitigate the harm I have identified, most particularly from the building lines, and to views connecting the CA to its cliff-top hinterland. Overall, the development would fail to preserve or enhance

the character and the appearance of the CA, to the desirability of which the Act requires that special attention be paid.

23. The proposed development would conflict with policies CS21, CS39 and CS41 of the Bournemouth Local Plan: Core Strategy 2012 (CS) which seek development of good design, which protect designated heritage assets from proposals that would adversely affect their significance, and which require development to respect the site and its surroundings, to enhance local character and distinctiveness, and to conserve landscape and townscape.
24. It would be at odds too with saved policies 4.4 and 6.10 of the Bournemouth District Wide Local Plan 2002 (LP) which require development here to, among other objectives, preserve or enhance the character or appearance of the area, having regard to matters including form, scale, massing, layout, the protection of the character of open spaces, as well as retaining or enhancing views and protecting other elements which are an integral part of the conservation area.
25. It would also run against policy D4 of the Bournemouth Local Plan: Town Centre Area Action Plan 2013 (AAP) which requires development to respect the context of the site, and to respect or enhance key views.

B. The living conditions of future occupiers

26. The future occupiers of this development: The flats in the west side of the proposed building include bedrooms with a single aspect to the west and living spaces with multiple openings to that direction. There would be a risk of overlooking from the flats in the 5-storey block of flats permitted on the site to the west into the west-facing flats of this proposal, above the ground floor storey.
27. I appreciate that there is a degree of mutual overlooking commonly accepted in the built-up area, and that there is a degree of obliqueness in any views from one window into another here, which would diminish overlooking. I recognise that the internal layout of the permitted scheme being implemented may change.
28. However, noting the attractiveness of that site's location overlooking the sea and bearing in mind it has already been cleared, as well as the national shortage of housing, I attach significant weight to the likelihood of its completion in accordance with the plans with which I have been provided. At such proximity between the flanks of the two buildings, there would be a risk of loss of privacy in the first, second and third floor flats on the west side of the building proposed on the appeal site.
29. The flats in the west side of the proposed building include bedrooms with single aspects onto the building being developed to the west. At such proximity between the flanks of these buildings, the outlooks from these bedrooms in the ground floor through to the third floor would be dominated by the neighbouring building. I appreciate that these flats have living spaces with an alternative aspect, but this would not reduce the harm to the living conditions of the occupiers from such a bleak, over-enclosed outlook from the affected bedrooms.
30. I have had regard to the access to daylight in the flats on the west side of the proposed building. Noting that the living spaces and some of the bedrooms are lit by windows with dual aspects and more than one opening, and without any

substantive evidence to the contrary, I find no harm to the living conditions of future occupiers from any shortfall of daylight.

31. I understand the Council's concern about the risk to the privacy of the occupiers of Flat 1. Some of the living space and bedroom windows of Flat 1 would be almost at the edge of the ramp leading down to the basement parking area. However, the living space would have an alternative aspect from the ramp, and the bedroom would have a second aspect which, although onto the ramp, would be substantially above it. Moreover, the car-park would be used by the neighbours in the same block where a degree of mutual respect of each other's privacy would be reasonably expected. The number of movements from the relatively low number of spaces would not be likely to disturb the occupiers of Flat 1.
32. While I identify no harm in terms of light, I find, as described above, that the privacy of future occupiers of the appeal building would be harmed by overlooking and the outlook of the occupiers would be so poor as to result in conflict with CS policy CS41 which requires development to provide a high standard of amenity to meet the day to day requirements of future occupants, and AAP policy D4 which expects development to respect the amenity of proposed residential uses.
33. The future occupiers of the building to the west: This includes bedrooms with single aspects to the east, which on the lower 3 levels of accommodation, would have outlooks dominated by the over-enclosing effect of the building the subject of this appeal. I acknowledge that the present building on the appeal site would have an effect on the outlook from the same rooms in the building consented to the west. However, the appeal building is set substantially closer to the west than the existing building on the appeal site.
34. Similarly, the windows of these same bedrooms would be so close to the habitable rooms of the proposed building that the prospect of loss of privacy by overlooking would be very real. I have taken into account the effect of alignment and the expected level of privacy in the built-up area, but at such very close proximity the effect on the living conditions of these neighbouring future occupiers would be unacceptably poor. I acknowledge that some of the bedrooms of the hotel presently overlook the building site to the west. However, hotel guests tend not to occupy their rooms during the day or for sustained periods as may be expected from a residential use, making the comparison unparallel.
35. I conclude on this issue that the living conditions of the future occupiers of the proposed development as well as the those in the development to the west would be unacceptably poor. This would place the proposal in conflict with CS policy CS41 and AAP policy D4.

C. The living conditions of surrounding occupiers

36. During my site visit I was able to look inside Flats 5 and 8 Seacroft Court as well as the gardens of Flats 1 and 5. Though the footprint of the proposed building would not be significantly closer to Seacroft Court than the existing, the northernmost flank of the main section of the building which today rises only one and a half storeys, would, in the new building, rise to five. Also, the south-east section of the proposed building would rise to five storeys, where it is presently only two.

37. However, the additional mass of the proposed building would be concentrated behind the rear building line of Seacroft Court. Its south-east section would be set back around 16m from the boundary to Seacroft Court. And it would introduce a clear gap to the east side of the plot, which is presently blocked by a 2-storey extension. The overall height of the proposed building would not be significantly greater than the existing, and its eaves would be substantially lower. The proposal would remove the laundry room which butts up to the garden boundary of Seacroft Court, and which presently rises substantially above it.
38. I saw how beautifully kept and how well used are the gardens of Flats 1 and 5 Seacroft Court. While I appreciate how important outlook is to the enjoyment of these gardens, for the layout reasons above I cannot agree that the outlook from them would be harmed by the additional mass of the development. The outlook from the window in the flank wall of Flat 8 which serves a living space would reduce, in my view marginally, but not to the degree that harm would occur, particularly as this is a secondary opening, with the primary aspect, onto the east, unobstructed.
39. The main window openings of the flats at the back are canted, wherein a canted section facing the development would be affected at each floor level. Flat 8 also includes a balcony with an aspect towards the development. Given the openness of the eastern primary aspect and its bearing on these spaces, the very marginal reduction of outlook to the south from this development would not be harmful. The other flank windows of Seacroft Court facing the development were obscure-glazed, or serve as I understand, circulation areas.
40. So too with the change in the amount of diffuse skylight and sunlight entering the flats and gardens of Seacroft Court. The increase in mass and proximity of the proposed building over the existing condition is not so great that a materially adverse impact on the daylight and sunlight within the habitable rooms of the flats or their gardens would ensue. The ramp beside the boundary to Seacroft Court would introduce the risk of noise from car and bicycle movement, however, given that the greater part of the same area is now used for car-parking and bin storage, the change would not be harmful to the privacy of the occupiers of Seacroft Court.
41. Windows on the upper floors of the proposed building, which would serve kitchens, would look directly towards the canted windows of Seacroft Court, to the balcony of Flat 8, and towards the gardens of Flats 1 and 5. However, given the distance between the windows and these spaces, as well as the partial enclosure of Flat 8's balcony by the sloping roof, and the fact that the rooms of the hotel already overlook the same spaces at similar quarters, I find no harm in respect of overlooking.
42. Overall, whilst I acknowledge the sensitivity of the spaces enjoyed by the occupiers of Seacroft Court, I do not find that the development would harm their living conditions. Accordingly, there would be no conflict from the development with Core Strategy 2012 (CS) policy CS41 which requires development to enhance the amenities of neighbouring residents and policy D4 of the Bournemouth Town Centre Area Action Plan 2013 (AAP) where it expects proposals to respect the amenity of existing residential uses.

D. The hotel use

43. CS policy CS28 requires development that results in the loss of tourist accommodation to demonstrate that the business is no longer viable and has no reasonable prospect of continuing. It stipulates that the loss should not harm the function of the area in relation to the tourism industry and the local community. The Council's Tourism Accommodation Supplementary Planning Document 2016 (SPD) sets out criteria to measure viability.
44. Against these, there is no doubt that the business has been run well and with a sustained effort. The business has been actively marketed by website, flyers and mailshots, without a guideline price, for more than two years, without receiving any offers. Only one viewing was made, and that was with interest for a residential use. By the time of this Hearing, the business had been marketed for longer than the 18 months suggested by the Council, during which time no reasonable offer was received. This indicates a significant lack of interest for the existing hotel, its reconfiguration, or an alternative tourist use.
45. It was clear from the discussion at the Hearing that visitors' expectations of accommodation are changing, which makes evaluating alternative tourist business models difficult. The self-contained model, which represents a small share of the local sector was rejected by the appellant based on the low occupancy rates and scarcity of loans for this form of development. Moreover, a large share of visitors are short stay guests whereas self-contained accommodation tends to be let weekly. The increase in homes being let for tourists via websites, and the recently built or approved budget, branded hotels which provide economies of scale and standardisation have also taken some of the self-contained share. Together with the present number of self-contained apartments, and the number of unbuilt apartments already with planning permission locally, this suggests that there is a lack of demand in this sector.
46. I appreciate that the site is unlikely to be able to develop to the size sought by the budget branded hotels. In this light, the Council's point that an alternative of a boutique hotel might work here was helpful. However, the evidence of the Chalfield Manor hotel's failure, admittedly further from the seafront, suggests that there is little taste for this in the local market.
47. While there is no forward business plan, the appellant described at the Hearing recent attempts at diversification including funeral receptions, afternoon teas, and murder-mystery weekends which have failed to bring the business into profit. The accounts show the business making a loss since 2017, with the owners not drawing a working wage.
48. On the detailed evidence before me regarding the marketing of the business, its current condition and viability, and the review of alternative tourist redevelopment options, I find that it has been demonstrated that the business is no longer viable and has no reasonable prospect of continuing. Given the high proportion of buildings in the surrounding streets providing tourist accommodation, and the tourist accommodation in the surrounding area, the loss of this hotel would not harm the function of the area in relation to the tourism industry and the local community. In this respect, there would be no conflict from the proposed development with CS policy CS28.

E. Mitigation of any effect on the public highway

49. The public path beside the site which leads from the street to the public gardens is narrow. The Council seeks its widening as part of this development, giving the increased bicycle use from the future occupiers and their visitors as justification on safety grounds.
50. I appreciate that future occupiers may cycle into the public gardens via the path, but the bicycle store would hold only around 14 bicycles. Compared to the number of journeys these bicycles might make into the town and the railway station, which would not need to use the path, the intensification of use would be marginal. Moreover, there is no substantive evidence that the additional intensity of use from this development would have an adverse effect on the safety of the path.
51. Without substantive evidence of a significant change in the intensity of use and a consequential, adverse effect on safety, I cannot conclude that an obligation to widen the path is necessary to make the development acceptable in planning terms, or that it would be fairly and reasonably related in scale and kind to the development. Such an obligation would therefore conflict with paragraph 56 of the Framework, and Regulation 122(2) the Community Infrastructure Levy Regulations 2010.
52. Accordingly, I conclude that there is no necessity for the proposed development to mitigate the effect on the public highway described by the Council. There would be no conflict with AAP policies T6 and D7 which seek financial contributions towards public realm improvements and towards highway improvement schemes, where they are appropriate.

Other Matters

53. Vehicle & pedestrian intervisibility at the site access: I appreciate that the fence along the northern boundary of the site would partly obscure from the drivers of cars emerging from the car-park any traffic coming from the north, and pedestrians walking from the north into the path to the public gardens. However, in this section of the street there is little containment of on-plot parking. This suggests that drivers would reasonably anticipate the risk of vehicles emerging from parking areas. Moreover, the access is at a right-angle bend in the road where traffic speed is not great and where traffic seldom retains a line close to the outside of the bend. Further, the driver's view would be set-off from the fence and the speed of emerging vehicles could be controlled close to the point of emergence.
54. In weighing the balance of risk against probability, and from my own observations on site, I do not consider that the fence would result in an unacceptable or severe impact on highway safety from vehicles leaving the car-park. Taking into account the absence of evidence suggesting a highway safety problem with the existing access or with the numerous accesses in the vicinity of the site, as well as the limited amount of traffic which would be generated by the proposal, I conclude that the inter-visibility of the access from the car-park would not conflict with the requirement in CS policy CS41 for development to contribute positively to the safety of the public realm. Nor would it have an unacceptable impact on highway safety as indicated in paragraph 109 of the Framework.

55. Car-parking: Discounting the 3 spaces in tandem positions, there would effectively be 14 unallocated car-parking spaces in the development, which the Council accepted would meet the estimate of demand in its Parking Supplementary Planning Document. Moreover, the present hotel has a shortfall of 24 spaces against the same guidance. The development would be an improvement over the present parking situation. The highways authority does not object to the car parking provision, and I identify no conflict in this regard with CS policy CS16.
56. Cliff stability: The Council has accepted the Slope Stability Report of the appellant's civil engineer, which concluded that the minor additional imposed load on this site would not affect the stability of the cliff. I saw the recent cliff fall to the east. However, it is a substantial distance from the cliff in this section. Moreover, the appeal site is a considerable distance from the closest section of the cliff. Without substantive evidence to the contrary, I cannot conclude that the development would jeopardise or be in jeopardy from cliff instability.
57. The layout shows a path leading from the basement to the boundary of the site with the public gardens. While I saw other buildings backing onto the public gardens had gates in their boundaries, the Council confirmed at the Hearing that it was not prepared to allow further access into the public gardens. While this would result in the path in the appeal site leading to nowhere, a condition to adjust the site layout could overcome this misnomer. Similarly, a condition could secure the gradient of the ramp to the car-park together with a level section at the exit, and the details of the bin storage layout and emptying mechanism.

Planning Balance

58. The Framework describes heritage assets as an irreplaceable resource, that should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 193 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets.
59. Given my findings above, I find the harm to the CA to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
60. I acknowledge that the development would bring 14 dwellings in a sustainable location which suffers from a shortfall of housing. This attracts significant weight as a public benefit. I recognise the visual impact of the existing building which would be demolished. I appreciate too that the development would ease the pressure on parking in the area. Future occupiers would spend in the local economy and support local services. Construction of the proposals would bring more short-term economic benefits too, from employment and the commissioning of services.

61. These public benefits do not, however, outweigh the harm identified above to the significance of the designated heritage asset to the conservation of which the Framework indicates great weight should be given.
62. The Council accepts that it cannot demonstrate a 5-year supply of deliverable housing sites. This means that policies which are most important for determining the application are out-of-date, and the proposal should be considered in the context of the presumption in favour of sustainable development, as set out in the Framework. However, in accordance with footnote 6 of paragraph 11 of the Framework, my conclusion on the effect of the proposal on the CA disengages the application of the tilted balance. The planning balance is, therefore, that the application should be determined in accordance with the development plan, unless material considerations indicate otherwise.
63. It has been demonstrated that the hotel use is no longer viable, and that it has no reasonable prospect of continuing. Its loss would not harm the function of the area in relation to the tourism industry and the local community. I have also found that there is no necessity for the proposed development to mitigate the claimed effect on the public highway. Nor would the development harm the living conditions of the existing, surrounding occupiers. The redevelopment would bring all the benefits described above.
64. Notwithstanding these, the development would fail to preserve or enhance the character and the appearance of the CA. The living conditions of the future occupiers of the proposed development and those in the development to the west would be unacceptably poor. I conclude therefore that the proposal would fail to satisfy the requirements of the Act, paragraph 192 of the Framework, and it would not be in accordance with the development plan taken as a whole.

Conclusion

65. For the reasons given above, and having considered all matters raised, the appeal is dismissed.

Patrick Whelan

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Neil McKeon	Senior Planning Consultant of Pure Town Planning
Mr Richard Sturt	Chartered Surveyor, Director of Sturt and Co
Mr Aaron Emmanuel	Architectural Technologist, Associate of Anders Roberts Cheer Architects

FOR THE LOCAL PLANNING AUTHORITY:

Mr Tom Hubbard	Senior Planning Officer, Bournemouth, Christchurch and Poole Council (BCP)
Mr Andrew Emery	Resort Development and Strategic Planning Manager, BCP
Mr Nick Helps	Principal Transport Planner, BCP

INTERESTED PERSONS:

Mr Graham Isherwood	Local resident
Mr Philip Arnold	Local resident
Peter and Karen Kaye	Local residents
Charles and Carrie Gunton	Local residents

DOCUMENTS SUBMITTED DURING THE HEARING

16 SEPTEMBER 2020

1. BCP (policies):
 - Town Centre Area Action Plan 2013
 - Parking Supplementary Planning Document 2014
 - Tourism Supplementary Planning Guidance 2003
2. Appellant (hotel use):
 - Letter of 7 September 2020 from Sturt & Co to PINS
 - Letter of 4 September 2020 from Goadsby to Sturt & Co with marketing activity report
 - Letter of 4 September 2020 to PINS from Greg & Lyn Balian about hotel closure
 - BCP Tourism consultation response of 13 August 2020 on the Liston Hotel
3. Mr Isherwood: submission on the status of public footpath BO4, supplemented 18 September 2020

17 SEPTEMBER 2020

4. Appellant (affordable housing):
 - Adjusted development appraisal dated 17 September 2020
 - Order of Cost Estimate by Messrs Ridge of September 2020
5. Appellant (additional drawings):
 - Site plan, floor plans, sections and elevations of the permitted building to the west overlaid with the appeal proposal
6. Appellant (additional drawings):
 - Floor plans of the appeal proposal overlaid against the permitted building to the east

7 OCTOBER 2020

7. BCP (affordable housing):
 - Updated Viability Review by DVS dated 5 October 2020
 - Email withdrawing the reason for refusal concerning affordable housing