



Appeal Decision

Site visit made on 9 May 2023

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th May 2023.

Appeal Ref: APP/V1260/W/22/3312795

74 Irving Road, Bournemouth BH6 5BJ

- 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 A P Morris, Vetfix Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2022-13650-D, dated 30 May 2022, was refused by notice dated 23 September 2022.
 - The development is described as 'Revert back to previous use as Veterinary Surgery from current use as residential'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the appeal form is different from the application form. In the absence of written confirmation of agreement from the appellant to change the description of development, I have used the description as taken from the application form in the banner heading above.
3. The appellant questions the lawful use of the building and whether planning permission is required. However, it is not within my remit to formally determine the lawful use of land. As a result, I have determined the appeal on the basis of the development proposed.

Main Issue

4. The main issue is whether the appeal site is an appropriate location for a veterinary surgery having regard to the development plan.

Reasons

5. Saved Policy 6.3 of the Bournemouth District Wide Local Plan (2002) (LP) states that existing residential accommodation will be retained unless one of four stated criteria are met. As the appeal site and immediate area is residential in character, the environment for continued residential use is satisfactory and the proposal does not satisfy the first criteria. Given that the building or site is not of architectural or historic interest, does not form part of a redevelopment scheme and is not extending an existing commercial use at ground floor, the proposal does not meet any of the other three criteria. As a result, the proposal is contrary to Saved Policy 6.3 of the LP.
6. I acknowledge that the contribution a single flat makes to the existing housing stock is small, and that the loss of one three-bed flat would only have a slight

effect on the stock of housing type and size in the area. However, even if I accept that there is a lower demand for three-bed properties compared to two-beds, this does not equate to no demand. Moreover, I give significant weight to the fact that the proposal would worsen the five-year supply of deliverable housing sites that the parties agree the Council cannot demonstrate, and to which I have no reason to disagree. Even if the current dwelling were vacant, its availability contributes to the supply of housing.

7. The appellant puts forward several material considerations in support of the proposal. These include benefits from the location of the site close to residential properties and public transport, difficulty in finding suitable premises for the use, lack of available sites of a suitable size with car parking and additional employment generation. In addition, the appellant states that there is need for the proposal, the site is a distance from other veterinary clinics, makes an efficient use of the site, and that the new business would support the surrounding community area and District Centres and their services and facilities.
8. However, the appellant has provided little evidence justifying why the substantial list of alternative sites put forward by the Council and forming part of their refusal of the recent planning application 7-2023-13650-E, are not suitable. The alternative sites within a District Centre or other group of commercial units would provide similar benefits and be more likely to support the function, vitality, and viability of those centres through the closer location to other commercial services and facilities and potential for linked trips, but without the associated loss of a residential dwelling. Such areas also being likely to be served by adequate car parking and external areas for patients.
9. The appellant also states that the proposal would not undermine the aims, objectives and policies in the Bournemouth Local Plan: Core Strategy (2012) (CS). However, the proposal would result in the loss of a dwelling in a residential area where Policies CS1, CS5, CS6, CS18, CS20, CS21 of the CS generally seek to support residential development well served by a range of services and facilities which the existing residential dwelling benefits from.
10. In light of the above, I conclude that the site is not an appropriate location for a veterinary surgery having regard to the development plan. As a result, the proposal is contrary to Saved Policy 6.3 of the LP. This policy is broadly consistent with the Framework and consequently the proposal would conflict with its requirement to deliver and maintain a sufficient supply of housing.

Other Matters

11. I have taken into account that the proposal would not result in a level of activity or potential for noise and disturbance to neighbouring occupiers and was previously in use as a veterinary practice. I have also taken into consideration that there would be minimal alterations to the outside of the building, and that the proposal would not harm the character or appearance of the area or local distinctiveness. Furthermore, I have had regard to the presence of a road sign already directing people to a veterinary facility in the direction of the site. However, these matters are neutral in my consideration.

Conclusion

12. For the reasons given above I conclude that the proposal conflicts with the development plan taken as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, the appeal is dismissed.

C Rose

INSPECTOR