



Appeal Decision

Site visit made on 12 September 2023

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2023

Appeal Ref: APP/V1260/W/23/3318806

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 Vetfix Limited against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2023-13650-E, dated 20 December 2022, was refused by notice dated 24 February 2023.
 - The development proposed is described as 'Revert back to previous use as veterinary surgery from current use as residential'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It is noted that a veterinary use has previously existed at this site and some highway signage pointing out the former surgery is evident. However, both parties agree that planning consent has historically been given to convert the ground floor to a flat in 2016 and again in 2020.
3. The appellant suggests that the 2016 permission has not been implemented but the 2020 application has been implemented and completed, however, the residential unit was never occupied.
4. It is not disputed that payment for commercial Council Tax ceased and domestic Council Tax has been paid since September 2021. Additionally, the description of the proposed development is described on the application form as a change of use from its current use as residential to veterinary surgery.
5. I have not been made aware of any compelling evidence to suggest the proposed development does not require planning consent. I have therefore determined the appeal based on the development proposed.

Main Issue

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

Reasons

7. Policy 6.3 of the Bournemouth District Wide Local Plan (2002) ("The Local Plan") states that existing residential accommodation will be retained subject to certain exceptions. There is limited evidence before me that any of the exceptions apply and therefore, the proposal is contrary to Saved Policy 6.3 of the Local Plan.

8. Although this is a single dwelling, it nevertheless makes a moderate contribution to housing supply particularly in the context of the Council's absence of a 5 Year Housing Land Supply. Even if the current dwelling is vacant, its availability contributes to the supply of housing.
9. While it is suggested that a three-bedroom flat would not be the most needed dwelling type for market housing in Bournemouth, it has not been robustly shown that there is no demand for three-bedroom dwellings in this location. A lower need when compared to other housing types does not equate to no need.
10. I acknowledge there would be social and economic and environmental benefits which would arise as part of the proposed development. However, it is reasonable to conclude that some social and economic benefits would also be extinguished by the loss of the residential use. I therefore attach moderate weight to the benefits proposed.
11. The appellant confirms that the current closest veterinary practices are 'Natterjacks' approximately 1.5 miles away and 'Riverside' approximately 1 mile away. I appreciate that residents of Southbourne may have to travel to access these services. However, there is limited evidence before me to suggest that these are poorly connected by public transport.
12. Furthermore, while the appellant suggests that there is a need for more veterinary facilities, there is limited evidence to show the extent of this need. I therefore ascribe this limited weight.
13. I appreciate the Council raised no objection insofar as the character and appearance of the area or in regard to any adverse impacts to neighbouring occupiers. However, the absence of harm is neutral in the planning balance. The appellant also indicates the site's brownfield status is compliant with policy. However, the same could be said of the existing use.
14. The appeal site lies outside a defined centre or shopping area and given its separation from these, it has not been clearly shown how it would retain and enhance the functions and viability of these defined areas.
15. The Council state that 74 vacant/non-operating units are available in district and supporting shopping areas to accommodate the proposed use. However, the appellant has considered these units and their suitability is disputed.
16. Designated districts and shopping areas are often served by public carparks and public transport. It's also not clear how the size or acceptability of the internal / external accommodation was assessed as part of the appellant's sequential test. I therefore find the appellants evidence is not sufficiently robust in this regard.
17. Even if these 74 units would not be reasonably acceptable, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. Accordingly, the material considerations in this case do not indicate that the proposal should be determined other than in accordance with the development plan.
18. Consequently, 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 the relevant provisions of Policies 5.19, 5.20, 6.3 of the Local Plan, Policies CS6 and CS9 of the Bournemouth Local Plan Core Strategy (2012) ("The Core

Strategy”) and the National Planning Policy Framework. These, amongst other things, aim to deliver and maintain a sufficient supply of housing and deliver sustainable communities.

19. I have not referred to Policy CS11 of the Core Strategy as the appeal proposal would not result in the loss of retail floorspace.

Conclusion

20. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

N Praine

INSPECTOR