



Appeal Decision

Site visit made on 14 May 2024

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 13 June 2024

Appeal Ref: APP/V1260/D/24/3340369

635 Charminster Road, Bournemouth, Dorset, BH8 9RH.

- 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 Mrs Angel Homer against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2023-23999A, dated 27 October 2023, was refused by notice dated 22 February 2024.
 - The development proposed is for the installation of a vehicular crossover, a hardstanding to the front, and removal of part boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have adopted in the bullet point above the description of development used by the Council in drafting its decision notice as this more succinctly describes the development than that set out on the original application form.

Main Issues

3. I consider the main issues to be:
 - a) the effect of the proposal highway safety, and;
 - b) the effect of the proposed development on the existing trees.

Reasons

4. The appeal property, 635 Charminster Road is a semi-detached property located on the corner of Charminster and Luckham Road.
5. There is currently a vehicle crossover to the site from Luckham Road. This gives access to the side garden of the dwelling with both covered and open parking for a number of vehicles. The side garden is currently divided off from the front garden by a high fence.
6. The appellant proposes, following the removal of a hedge and boundary wall the formation of a new vehicle crossover to give direct access from Charminster Road to the front garden for off street parking.

Highway safety

7. The Council advise in its evidence that Charminster Road (B3063) is classified as a District Distributer Road. Saved policy 8.2 of the Bournemouth District Wide Local Plan (Adopted 2012) states that: *to enhance traffic safety on District Distributer Roads, it will be necessary to limit access.*
8. Due to the limited size of the front garden vehicles will not be able to turn on site. Accordingly, they will need to undertake reversing manoeuvres when either entering or exiting the public highway. These manoeuvres would in turn be likely to disrupt the free flow of traffic on Charminster Road thereby compromising the effective and efficient functioning of this classified road.
9. The application drawings do not indicate what visibility splays are achievable or how the existing disabled bay on the near side carriageway fronting the site would itself impact on safe access and egress to and from the site.
10. I conclude in respect of the first main issue that the proposed access due to the lack of onside turning and given the very limited design detail provided would give rise to conditions prejudicial to highway safety. Accordingly, to allow it would be contrary to the objectives of Policy CS41 of the Bournemouth Local Plan: Core Strategy (Adopted October 2012) (CS), Saved Policies 4.25 and 8.2 of the Bournemouth District Wide Local Plan (Adopted February 2002) (DWLP) as well as the provisions of the National Planning Policy Framework (the Framework) as they relate to, along with other things, highway safety.
11. In reaching my conclusion on this first main issue I have been mindful that a few of the houses nearby do have vehicular access direct on to Charminster Road. I note from the appellant's evidence that some of those houses with off-street parking that do not have room to turn onsite have the benefit of planning permission. Whatever the background to those cases, the existence of an unsatisfactory crossover on a nearby site is not an appropriate justification for permitting another here.
12. The appellant asserts that the access off Luckham Road is temporary, however as I saw it has a permeant dropped kerb. Further, the crossover is marked with a white line to deter people parking so as to block the access. From what I saw on site I am not persuaded that this existing crossover would not provide safe mobility access to the property. Accordingly, I have given these considerations very little weight in my deliberations.

Existing trees

13. There are two large and prominent mature trees located in the garden of number 635 positioned on the back edge of the pavement where it turns the corner. The Council in determining the planning application were concerned that the proposed development might well impact on the roots of those trees.
14. Without a detailed supporting arboricultural report on the trees and the impact, if any of the necessary demolition work, ground works and surfacing associated with the development the impact on the tree's health cannot be adequately assessed.
15. Accordingly, based on the lack of detail provided I can only concur with the Council's opinion that the potential risk to the health of the trees by reason of the development cannot be determined. The proposal therefore fails to accord

with the aims of CS Policy CS41, DWLP Saved Policy 4.25 as well as the provisions of the Framework as they relate to, amongst other things, the protection of the amenity value of the existing landscape.

Conclusions

16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Philip Willmer

INSPECTOR