



Appeal Decision

Site visit made on 18 September 2025

by E Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2025

Appeal Ref: APP/V1260/W/25/3358649

5 Seafield Road, Bournemouth BH6 3JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr D Lowman on behalf of Prestige Organisation Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 7-2024-26969-D.
 - The development proposed is the demolition of existing house and the erection of a block of 5 flats with off road car parking.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing house and the erection of a block of 5 flats with off road car parking at 5 Seafield Road, Bournemouth BH6 3JE in accordance with the terms of the application, Ref 7-2024-26969-D, and the plans submitted with it, subject to the conditions in the attached schedule.

Application for costs

2. An application for an award of costs was made by Mr D Lowman on behalf of Prestige Organisation Ltd against Bournemouth Christchurch and Poole Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The application was made in outline with approval of the means of access sought at this stage, along with matters of landscaping, layout and scale. The appearance of the development is reserved for future consideration. Therefore, I have treated the drawings showing the appearance of the development as indicative only.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area and the Dorset Heathlands.

Reasons

Character and appearance

5. The appeal property is a detached 2 storey dwelling which occupies a corner plot at the junction of Seaford Road and Douglas Road. The appeal proposal would see the demolition of the existing dwelling and the erection of a block of 5 flats. Vehicular access to the off-road parking spaces would be provided from both Seafield Road and Douglas Road.

6. The surrounding area is residential in character, made up of an eclectic mix of properties of a broad range of architectural styles and ages, including 2 storey dwellings which are domestic in scale and flatted developments, which vary considerably in scale. The Inspector in a previous appeal decision¹ at the site noted that the more substantial residential buildings nearby reflect the larger scale of the buildings in the mixed commercial and residential area around Belle Vue Road. In contrast, the area beyond this, further along Seafield Road and the wider area including Douglas Avenue, predominantly comprises detached, 2 storey dwellings of a traditional appearance, with front gardens or parking areas between the front elevations and the highway, and boundary walls/fences and planting to the front boundaries.
7. I observed at my site visit that the appeal site, by virtue of its layout, and scale and design of the existing dwelling, is akin to the domestic scale and layout of the nearby residential properties and therefore makes a positive contribution to the character of the area. The proposed large, flatted developments which were the subject of the earlier appeals, by virtue of their footprint, scale and bulk, would have been at odds with the domestic scale of the site context.
8. Despite the disparity in the scale of the surrounding buildings, the appeal site is located in proximity to flatted developments of a greater scale than the surrounding dwellings, including that at 12 Seafield Road, directly opposite the site. The proposed development, by virtue of its traditional design and overall size, would echo elements of both the flatted developments closer to Belle Vue Road and the more domestic scale and character of the surrounding residential development. It would thus be befitting of this site, which lies between the 2 distinct character areas.
9. While the appearance of the proposed development is not for consideration at this stage, the appeal submissions demonstrate that a scheme of an appropriate height and of a traditional design and utilising appropriate materials and fenestration, could sit comfortably within the street scene of both Seafield Road and Douglas Road. The resulting development would change the appearance of the site. While it would be less spacious than the current layout, due to the increased site coverage, which would reduce the space around the building, it would not differ significantly from other developments nearby in that sense. Furthermore, the width of the outward facing facades of the building would be such to retain space between the existing and proposed built form, similar to other gaps between properties fronting both Seafield Road and Douglas Road, so as to ensure a sense of separation.
10. As the 2 separate groups of parking spaces would be viewed independently of each other in the context of each highway frontage, they would not appear unduly excessive in scale for a residential property. Moreover, this arrangement would not be incongruent, given the similar layout of properties in the immediate locality, whereby a significant proportion of the frontage comprises of hardstanding dedicated to the parking of vehicles. The retention of the existing front boundary wall, in part, and the provision of planting at the junction as part of the landscaping scheme, including a boundary hedge, would ensure the proposed development would not appear unduly stark and would be consistent with the area in that regard.

¹ Appeal Refs: APP/V1260/W/22/3307022 and APP/V1260/W/22/3307023

11. For the foregoing reasons I conclude that the proposal would not harm the character and appearance of the area. It would therefore not conflict with the combined aims of Policies CS6, CS21 & CS41 of the Bournemouth Local Plan: Core Strategy, adopted October 2012 (BLP) which require new development to be of a good design and contribute to and enhance character and local distinctiveness and saved Policy 6.10 of the Bournemouth District Wide Local Plan, adopted February 2002 which permits flats in the built-up area provided that the development, among other things, respects or enhances the character and appearance of the area.

Dorset Heathlands

12. The site lies within 5km of the Dorset Heaths Special Area of Conservation, Dorset Heathlands Special Protection Area and Dorset Heathlands Ramsar Site (the Dorset Heathlands). The Dorset Heathlands Planning Framework Supplementary Planning Document 2020-2025 (SPD) indicates that the sites host protected priority habitats and species including Dartford warblers, nightjars, woodlark, hen harrier, merlin, sand lizards and smooth snakes, typical species of lowland heathland, wetlands and dunes. Recreational pressure, predominantly from those living in close proximity to the Dorset Heathlands are causing harm to the heathland ecology. There is, therefore, potential that additional residents at the site, in combination with other development, could result in adverse effects on the integrity of the Dorset Heathlands.
13. To avoid or mitigate any adverse effects, the appellant proposes that a financial contribution would be made towards strategic access, management and monitoring in accordance with the SPD, to be secured via a unilateral undertaking. Following appropriate assessment under the Conservation of Habitats and Species Regulations 2017, I am, therefore, satisfied that adverse effects on the integrity of the Dorset Heathlands will be avoided. The proposal would therefore not conflict with Policy CS33 of the BLP which sets out that development will not be permitted unless it can be ascertained that the development will not lead to an adverse effect upon the integrity, directly or indirectly, of the Dorset Heathlands international designations.

Other Matters

14. The Highway Authority have not raised an objection to the proposal in highway safety terms, having regard to the access to the site, vehicular and pedestrian traffic, or parking provision, which it indicates would adhere to relevant guidance. In light of the proposed parking arrangements and provision of visibility splays, based on the evidence before me, I have no reason to reach a different conclusion.
15. Given the overall modest scale and residential nature of the proposed development, and the likely level of associated activity it would generate, there is no clear reason why the proposal, including the car parking layout, would give rise to less than satisfactory living conditions for future occupiers of the units through noise or disturbance, loss of privacy or light pollution. In addition, the ground floor rooms with windows overlooking the parking areas are dual aspect, as such the outlook from these units would not be unduly compromised in the event that the parking spaces are occupied by a large vehicle. There is no substantive evidence that the internal dimensions of the proposed living accommodation would fail to

provide suitable living conditions, or that the outdoor space would not be sufficient to meet the needs of future occupiers of the development.

16. Nor has it been demonstrated that there would be any adverse effects on the living conditions of the occupiers of the adjoining residential properties through loss of light or outlook by virtue of the height and siting of the building. In addition, subject to a planning condition to secure the first floor windows in the southern and eastern elevations to be obscure glazed, as indicated on the submitted floor plans, there would be no adverse effects in terms of overlooking of the adjoining properties. Given the use of the stairwell would be transient and infrequent, the window serving this space, which is not shown to be obscure glazed, would not give rise to an unacceptable degree of overlooking of 3 Seafield Road.
17. There is no compelling evidence that existing infrastructure, including the sewage system and local doctors and dentists do not have capacity to meet the needs of future occupiers of the proposed development, or that appropriate refuse storage facilities could not be secured through the imposition of a planning condition. In addition, subject to a condition to secure a detailed surface water drainage scheme, there is no substantive evidence that the proposed development would exacerbate flooding in the locality.
18. Interested parties have expressed concern regarding the loss of a family sized dwelling in lieu of more modest flats or potentially holiday accommodation. However, I have not been directed to any specific policy requirements in that regard, or that there is not a demand for smaller residential properties in the area.

Conditions

19. In addition to the standard condition requiring the submission of the reserved matters and implementation of the permission, a condition is required to specify the relevant plans, in the interests of certainty. To ensure that adequate facilities are available for the parking of vehicles in the interests of highway safety, details of the construction of the parking spaces and vehicular crossovers should be provided and provision made for the required pedestrian visibility splays. It is necessary to impose a condition to secure the implementation of the cycle storage facilities as shown on the approved plans to encourage the use of sustainable transport modes in accordance with Policy CS18 of the BLP.
20. A condition is required to agree a Construction Method Statement both in the interests of living conditions of nearby residential properties and highway safety. This condition is a pre-commencement condition because the protection measures and mitigation need to be agreed before any works on site take place.
21. The officer report suggests that the proposed underground bin systems were not deemed appropriate, a condition is therefore necessary to agree details of alternative provision. In the interests of the character and appearance of the area a condition is necessary to secure the implementation of the landscaping scheme.
22. To ensure the development would not increase the risk of flooding a condition is necessary to agree a suitable drainage scheme. This condition is pre-commencement as surface water drainage is an integral part of the development that may affect how it is constructed. For the reasons set out above, a condition is required to secure the first floor windows in the southern and eastern elevations to be obscure glazed.

23. A condition to agree details of the external materials to be agreed is not necessary as the appearance of the development is reserved for future consideration. In addition, requirements for installing electric vehicle charge points in new homes now forms part of Building Control Regulations, so a condition in that regard is not necessary.

Conclusion

24. For the reasons given above the appeal should be allowed.

E Worley

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, "the reserved matter" shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matter shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following drawing numbers, in so far as they relate to access, landscaping, layout and scale:

Block and Location Plan (Drawing Number 001)

Proposed Site Plan (Drawing Number 002)

Proposed Floor Plans (Drawing Number 003)

Proposed Elevations (Drawing Number 004)

Proposed Street Scene (Drawing Number 005)

Landscape Plan (Drawing Number 524-1)

- 5) Notwithstanding details shown on the submitted plans, within 3 months of the commencement of the development, details of the final design (including gradient and space allocation) of the parking areas as shown on the approved plan, shall be submitted to the local planning authority for approval in writing. The parking areas shall be constructed, surfaced and arranged in accordance with the approved details prior to occupation of the development and thereafter, permanently retained and kept available for their intended use at all times.
- 6) Notwithstanding details shown on the submitted plans, within 3 months of the commencement of the development, details with specifications of the entrance kerb system to be used to provide vehicle access across the footway at Seafield Road and Douglas Road, shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details prior to occupation of the development.

- 7) Prior to the first occupation of the development hereby permitted, the pedestrian visibility splays as shown on the approved plans shall be cleared of all obstructions over 0.6m in height above ground level and no fence, wall or other obstruction to visibility over 0.6m in height shall be erected within the area of the splays at any time.
- 8) Prior to the first occupation of the development hereby permitted the cycle parking facilities shall be constructed and arranged in accordance with the approved plans. The facilities shall have lockable doors with keys made available to all residents and shall have internal illumination. Thereafter, the cycle parking facilities must be maintained, kept free from obstruction and available for the purposes specified.
- 9) No development shall take place, including any demolition works, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall provide for:
 - 24 hour emergency contact number;
 - delivery, demolition and construction working hours;
 - parking of vehicle of site operatives and visitors;
 - routes for construction traffic;
 - locations for loading/unloading and storage of plant, waste and construction materials;
 - measures to prevent mud being carried onto the highway;
 - measures to protect vulnerable road users (cyclists and pedestrians);
 - any necessary temporary traffic management measures;
 - arrangements for turning vehicles;
 - arrangements to receive abnormal loads or unusually large vehicles;
 - methods of communicating the Construction Method Statement Plan to staff, visitors and neighbouring residents and businesses.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 10) Prior to the first occupation of the development hereby approved details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully completed before any part of the development hereby permitted is first occupied and permanently retained for such uses thereafter.
- 11) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 12) No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the

hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The submitted details shall: i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; ii) include a timetable for its implementation; and, iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

- 13) The building hereby permitted shall not be occupied until the windows in the south and east elevations at first floor level, as identified on the proposed floor plans drawing number 003 as being obscure, have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.

*******end of conditions*******