

Addendum Sheet
Planning Committee – 21st November 2019

PLANNING APPLICATIONS		
Item No.	Application	
6a	Parrs Quality Confectionary, 26 Alder Road, Poole APP/18/00551/F	<p><u>Additional Consultation Response:</u></p> <p><u>Lead Local Flood Risk Authority:</u> The applicant's response that a green roof and porous paving is not included within the scheme is disappointing, but the scheme still represents an overall improvement on the existing situation. As such, there is no objection subject to a condition requiring a SUD's scheme.</p> <p><u>Additional Representations:</u></p> <p>One additional letter that reiterates a previous objection to the proposed development on the grounds that there are already enough supermarkets in the local area and due to the adverse impacts arising from the increased volume of traffic on the already congested surrounding highway network.</p> <p>One additional letter that reiterates support for the proposed development on the grounds that it would enhance local services.</p>
6b	The Fountain, 1 High Street, Christchurch 8/19/0990	Revised site plan received following consultation response from BCP Highways to show additional bollard to front of commercial area. BCP Highways have confirmed this revised plan is acceptable.
6c	1 Twynham Avenue, Christchurch 8/19/0026/T	Background Papers – Appeal Decision 8/18/0750/OUT is attached to this Addendum Sheet
6d	13 Danecourt Road, Poole APP/19/00920/P	<p><u>Paragraph 34:</u></p> <p>The required contribution of £2,840.25 in respect of Dorset Heathland SAMM and Poole Harbour Recreation SAMM was received on 14th November 2019.</p>
6e	15 Danecourt Road, Poole APP/19/01003/P	<p>The wrong location plan / site plan is attached to the report. The correct plan is attached to this Addendum Sheet (Appendix 2).</p> <p><u>Paragraph 34:</u></p> <p>The required contribution of £2,840.25 in respect of Dorset Heathland SAMM and Poole Harbour Recreation SAMM was received on 14th November 2019.</p>

6f	76 Huntly Road, Bournemouth 7-2019-19052-E	
6g	88 Alma Road, Bournemouth 7-2019-19298-D	
6h	Land r/o 24 Brixey Road & land R/O 89-93 Rosemary Road, 32 Brixey Road, Poole APP/19/00576/F	<p><u>Paragraph 28:</u></p> <p>Affordable Housing negotiations have concluded with the applicant agreeing a contribution of £60,841.</p> <p>This amount should therefore be secured by the recommended S.106 Agreement.</p> <p><u>Additional Condition:</u></p> <p>17. In advance of securing Building Regulation Compliance, the developer will identify to the Local Planning Authority three of the dwellings hereby permitted to be built wholly in accordance with the requirements of Approved Document Part M4(2) Category 2 of the Building Regulations (2015) (as amended).</p> <p>Reason -</p> <p>In the interests of meeting the needs of the ageing population and in accordance with PP12 of the Poole Local Plan (November 2018)</p>
6i	The Emporium Bridge Street, Christchurch 8/18/2927/OUT	<p>Please note the App. No. listed on the Agenda list at 6 i) is incorrect. The App. No. is 8/18/2927/OUT</p> <p>The App. No. is stated correctly on the report starting at p.205.</p>
6j	193 Churchill Road, Poole 19/01199/F	
6k	7 Watermead, 23 Willow Way, Christchurch 8/19/1314/HOU	
6l	8 Watermead, 23 Willow Way, Christchurch 8/19/1315/HOU	



- NOTES:**
1. The contents of this drawing are copyright.
 2. Scaled drawing for Planning purposes only.
 3. Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.
 4. Lower ground construction/ retaining structure to be structural engineers design.
 5. Electrical layouts to be agreed with client & added to drawing.
 6. Drawings to be read in conjunction with specification.

B	07/11/19	Minor amendment to site layout following highways comments	CW	MS
A	25/09/19	Amendments to Site Layout and proposals	CW	MS
Rev	Date	Description	By	PM

PROJECT STAGE: PLANNING

CLIENT:
Mr Brown

PROJECT & DRAWING TITLE:
1 High Street, Christchurch
Proposed Site Plan

Scale @ A3: 1:200	Drawn by: CW	
Date: 10/01/19	Checked by: MS	
DRAWING No: ASP.18.126.002	REVISION: B	

ARCHITECTURE - PLANNING - PROJECT MANAGEMENT - CDM

176 High Street, Christchurch,
Dorset, BH23 1AB
01202 473222
www.aspirearchitects.co.uk
info@aspirearchitects.co.uk
© Aspire Architects Ltd



Aspire
Architects

Proposed Site Plan 1:200





Appeal Decision

Site visit made on 14 May 2019

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 June 2019

Appeal Ref: APP/E1210/W/18/3218893

1 Twynham Avenue, Christchurch BH23 1QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Mr Paul Bloomfield (Holton Homes) against Christchurch Borough Council.
 - The application Ref 8/18/0750/OUT, is dated 22 March 2018.
 - The development proposed is demolish existing chiropractic clinic and replace with a new development of 9no flats with associated parking.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Paul Bloomfield (Holton Homes) against Christchurch Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. The description of the proposal as originally detailed within the application form was for a new development of 11no flats with associated parking. Whilst I have not been provided with evidence suggesting that a change to the description was agreed between the main parties, the plans submitted as part of this appeal show a proposal for a block of 9 flats. I have therefore amended the description of development accordingly within the banner heading and shall determine the appeal on this basis.
4. The application was submitted in outline. The application form indicates that approval is only sought for access, layout and scale, and this is reflected on the submitted plans. As appearance and landscaping are reserved for subsequent determination, I shall however consider the proposed elevational treatment and the planting details shown on the Tree Protection Plan¹ solely for illustrative purposes.
5. The appeal is against the non-determination of a planning application. However, the Council have detailed their concerns within their appeal statement, and advised that, had they been in a position to determine the application, it would have been refused.

¹ Barrell Plan Ref: 18242-BT2.

Main Issues

6. The main issues are:

- The effect of the proposal upon the character and appearance of the area and the setting of the adjacent Christchurch Central Conservation Area;
- The effect of the proposal on the living conditions of the neighbouring occupiers of No 1a Twynham Avenue, with particular regard to outlook, privacy, noise and disturbance; and
- Whether the proposal would make adequate arrangements for car parking.

Reasons

Character and appearance

7. Located within an area of prevalent residential character, the appeal site forms a prominent corner plot at the junction between Twynham Avenue and Barrack Road. Twynham Avenue is predominantly characterised by two-storey detached dwellings and bungalows. The properties, which are typically set back from the road, share a consistent front building line. This, together with the front boundary walls and regular degree of spacing between properties, provide rhythm to the street scene, giving the area a pleasant suburban feel. The character of Barrack Road, which is a major thoroughfare between Christchurch and Bournemouth, is noticeably different, and mainly includes two-storey buildings and purpose-built blocks of flats of varying sizes and designs. In most instances, the buildings are significantly set back from the road frontage.
8. The appeal site comprises a two-storey building, which was formerly used as a chiropractic clinic, and a detached garage in the north-eastern corner of the plot. The site includes a large car parking area and benefits from a vehicular access onto Twynham Avenue. The boundary wall and mature landscaping to both road frontages provide the site with an attractive setting.
9. The site also abuts the Christchurch Central Conservation Area, which is characterised by a range of buildings of different styles and ages, many of which reflect the growth of the town. The Conservation Area Appraisal and Management Plan² (CAAMP) identifies Barrack Road as an important gateway to Christchurch. In this part of the conservation area, the CAAMP notes that the scale of buildings is important as they are often seen in views and panoramas across open space. This, combined with the width of Barrack Road, gives the area an open and spacious feeling, which contribute to the significance of the conservation area.
10. The proposed block of flats would cover a significantly larger footprint than the existing building. The new development would protrude beyond the established building line along Barrack Road, resulting in a form of development which would appear visually intrusive within the street scene. The undue prominence of the development would be exacerbated by the height and four-storey scale of the proposal, which would appear out of keeping with the character and appearance of area, having particular regard to the Twynham Avenue street scene and the setting which the site provides to the conservation area.

² Christchurch Central Conservation Area Appraisal and Management Plan (Adopted September 2005).

11. The harm caused to the character and appearance of the area would be significant, but less than substantial in respect of the effect on the setting of the Christchurch Central Conservation Area. In these circumstances, less than substantial harm needs to be weighed against the public benefits of the proposal. In this instance, the limited benefits of the provision of 9 additional dwellings would not outweigh the harm resulting from the proposal.
12. My attention has been drawn to the recent construction of a four-storey block of flats at the corner of Stour Road and Barrack Road, which the Council granted planning permission for in 2014³. However, this site lies further away from the conservation area, and within the context of a different street scene. I am therefore not convinced that this approval constitutes a direct parallel to the appeal proposal. Equally, whilst I have not been provided with the details which led to the construction of the two-storey flatted development mentioned by the appellant, it is clear that it would have been approved within a different planning context.
13. The appellant has also referred to a planning application for a large mixed-use scheme between Barrack Road and Bargates⁴. Based on the limited evidence before me, I understand that this is a current application, which has not yet been determined by the Council. This limits the weight which can be afforded to this particular example. In any event, I am required to consider the appeal before me, on its individual merits.
14. For the reasons detailed above, I therefore conclude that the proposal would cause unacceptable harm to the character and appearance of the area, but also the setting of the Christchurch Central Conservation Area. It would therefore conflict with the design aims of Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 – Core Strategy⁵ (CS) and the National Planning Policy Framework (the Framework). Additionally, the development would fail to accord with CS Policy HE1, which notably seeks to protect and enhance the significance of all heritage assets and their settings.

Living conditions

15. The North-East elevation of the existing building lies within proximity to the boundary shared with No 1a Twynham Avenue (No 1a), and this distance would be slightly increased as a result of the proposed development. Nevertheless, the proposal would, by reason of its significant footprint, height and overall scale, have a far greater impact on the living conditions of these neighbouring residents than the existing built form. It would result in an overbearing and dominating form of development which would have a detrimental impact on the living conditions of the occupiers of No 1a.
16. The North-East elevation would include several windows at first, second and third floor levels. Whilst appearance would be reserved for subsequent determination, layout forms part of the matters which I am required to consider as part of this appeal. The proposed floor plans show that some of the windows would serve habitable rooms, such as living areas and bedrooms. Whilst secondary openings could be obscure glazed, it would not be considered

³ Local Planning Authority reference 8/13/0471.

⁴ Local Planning Authority reference 8/18/3263/FUL.

⁵ Adopted April 2014.

acceptable to do so for rooms benefiting from a single window, for which a reasonable outlook should be provided for future occupiers of the development.

17. Regardless of whether they would all be obscure glazed, the number of windows proposed on this side elevation, would appear unneighbourly, by increasing the perception of overlooking and loss of privacy for the occupiers of no 1a. This would negatively impact on the enjoyment of their property and outdoor area.
18. The car parking area would be located within proximity to the boundary shared with this neighbouring property. This would to some extent increase the level of noise and disturbance, but not to a degree to solely warrant dismissal of the appeal, particularly as conditions could be imposed to address the matter. However, it compounds the other issues found in respect of the impact of the development on the living conditions of these neighbouring residents.
19. For the reasons detailed above, I conclude that the proposal would cause unacceptable harm to the living conditions of the residents of No 1a, having particular regard to outlook and privacy. It would therefore be contrary to CS Policy HE2, which notably requires development proposals to have regard to the relationship to nearby properties including minimising general disturbance to amenity.

Car parking

20. The proposal would include alterations to the existing vehicular access arrangements off Twynham Avenue, and the formation of 9 car parking spaces which, to a large extent, would be located underneath the new building. Whilst the Local Highway Authority raised no objection to the development, the Local Planning Authority is concerned that there would be limited manoeuvring space to enable vehicles to exit the site in a forward gear.
21. By reason of the limited depth of the turning aisle, I agree that protracted manoeuvres would be required to enter and leave the proposed car parking spaces. This would be further exacerbated by the building's structural supporting columns, which would add to the manoeuvring difficulties resulting from the proposed parking layout. Future occupiers of the development would consequently be likely to reverse onto Twynham Avenue, thus increasing the risk of collisions with users of the footway and carriageway.
22. In the absence of evidence to the contrary, I am unable to conclude that the proposal would make adequate arrangements for the provision of car parking, and that it would not cause adverse highway safety effects as a result. It would therefore not accord with CS Policy KS2, which requires the provision of adequate vehicle and cycle parking facilities to serve the needs of development proposals.

Other Matters

23. The Framework advises that the provision of affordable housing should not be sought for residential schemes that are not major developments. As the appeal proposal would deliver less than 10 homes, it would not require the provision of any affordable housing or a contribution towards affordable housing.
24. The site lies within 5km of protected heathland. In accordance with the Dorset Heathlands Planning Framework 2015-2020 Supplementary Planning Document

(the Dorset Heathlands SPD), residential schemes located within 5km of these protected areas are required to make a financial contribution towards heathland mitigation measures, which are normally secured through planning obligations. No Unilateral Undertaking has been submitted as part of the appeal. As I am dismissing this appeal on other substantive grounds, this is not a matter which needs to be considered further here. However, should the development had been considered acceptable in all other respects, I would have had to be satisfied that an Appropriate Assessment had been undertaken to ensure the proposal's compliance with Habitats Regulations, in light of the *People over Wind*⁶ decision by the Court of Justice of the European Union.

25. The Council is currently unable to demonstrate a five-year supply of deliverable housing sites. In such circumstances, paragraph 11 d) of the Framework, as directed by Footnote 7, indicates that the policies which are most important for determining the application are considered out-of-date. In the absence of policies within the Framework protecting areas or assets of particular importance which are relevant to this proposal⁷, paragraph 11 d) states that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
26. The appeal scheme would be located within walking distance of the town centre, and deliver some benefits to the local economy through short term construction and use of local shops. The provision of nine additional dwellings would contribute towards housing supply and choice, but the benefits resulting from the proposal would remain relatively limited. I have however identified significant harm to the character and appearance of the area. In addition, the proposal would adversely affect the living conditions of neighbouring residents and not provide adequate car parking arrangements. These aspects weigh against the proposal.
27. I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the relatively limited benefits resulting from the proposal when assessed against the Framework as a whole. There are no other material considerations which indicate that the proposal should be determined other than in accordance with the development plan, which I have already found conflict with.
28. Various comments have been provided by interested parties, including a request from the Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust seeking to obtain a financial contribution towards health care services, which I have noted. However, as this appeal is being dismissed on other grounds, it is not necessary for me to consider these matters further as part of this appeal.

Conclusion

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

S Edwards
INSPECTOR

⁶ People over Wind, Peter Sweetman v Coillte Teoranta, Case C-323/17.

⁷ Paragraph 11d) and Footnote 6.



location plan 1 : 1250

