
Appeal Decision

Site visit made on 16 February 2017

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 February 2017

Appeal Ref: APP/Q1255/W/16/3157741
Seashells, 4 Lake Road, Poole BH15 4LH

- 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 & Mrs Hockey against the decision of Borough of Poole.
 - The application Ref APP/16/01048/F, dated 4 July 2016, was refused by notice dated 31 August 2016.
 - The development proposed is demolition of existing pitched roof double garage and erection of a new detached bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Within the appeal process the appellant has submitted an amended site, block and location plan, Dwg No FB5502/100 Revision B. This relates to amendments to the parking bays and visibility splay on the proposed site plan. The Council has had the opportunity to comment on this and I do not consider that any third parties would be prejudiced by it being accepted for consideration. I have therefore had regard to that amended plan in my determination of the appeal.
3. The Council, in its second reason for refusal, raised concern that the proposed development would not provide mitigation for any potential adverse effect on nearby European heathland sites. However the appellant has since submitted an Undertaking under section 111 of the Local Government Act 1972 and paid an appropriate contribution towards Strategic Access Management and Monitoring. The Council has confirmed that this resolves its concerns. As I am dismissing the appeal for other reasons, it is not necessary for me to consider this matter in any further detail.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

5. The site comprises part of the rear garden, driveway and existing detached garage associated with 4 Lake Road. However, the proposed development would create a separate dwelling fronting onto Upwey Avenue. That existing rear garden, with the garage set well back from the road, together with the car
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park area opposite, relating to flats at Captains Cove on the opposite corner, creates a distinct visual break from the streetscene of Lake Road. The existing dwelling at No 4 Lake Road and Captains Grove are seen much more in the context of Lake Road's streetscene which includes various designs and types of buildings, many of which are of full two storey height. Upwey Avenue, beyond the Captains Cove car park, comprises modest height bungalows set back from the road. This gives that street a distinctly open and spacious character.

6. The proposed dwelling would be a bungalow and so in that sense would not conflict with those other dwellings in Upwey Avenue. However, due to the constraints of the existing rear garden width, the dwelling would be noticeably closer to the road than is the case with the existing garage or the next dwelling at No 1 and those beyond it. It would also be angled to conform to the orientation of the existing plot and so not characteristically aligned with the road in the same way that the existing bungalows in the street are. Those factors would cause the proposal to appear cramped on the plot, despite the retention of a fairly wide front boundary, and to contradict the distinct development pattern and open and spacious nature of the streetscene. As such, it would be a jarring and incongruous feature.
7. I saw three other small housing developments at 12 Lake Road, 19 Tuckers Lane and 2a and 2b Hercules Road referred to by the appellant, including in terms of highlighting other backland development and small plot sizes and separation distances that had been permitted. However, the nature and surrounding context of those developments is clearly different to that relating to this appeal proposal. In any case, I have determined this appeal on its own merits.
8. For the above reasons, the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. As such it would be contrary to policies PCS5 and PCS23 of the Poole Core Strategy which together, in respect of this issue, require proposals for residential development to contribute positively to the character of Poole and to exhibit a high standard of design.

Conclusion

9. The Framework sets out that there should be a presumption in favour of sustainable development and indicates that to achieve that, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
10. The proposal would have a small benefit in terms of providing an additional family dwelling to the local supply of housing in a sustainable location. However, this would not outweigh the unacceptable harm that it would cause to the character and appearance of the surrounding area. It would therefore not be a sustainable form of development.
11. Therefore, for the above reasons, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR