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## Appeal Decision

Site visit made on 1 November 2017

**by Robert Parker BSc (Hons) Dip TP MRTPI**

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

**Decision date: 24<sup>th</sup> November 2017**

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**Appeal Ref: APP/Q1255/W/17/3179860**  
**300 Ringwood Road, Poole BH14 0RY**

- 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 and Mrs Clark against the decision of Poole Council.
  - The application Ref APP/17/00288/F, dated 20 February 2017, was refused by notice dated 18 May 2017.
  - The development proposed is demolish existing building and erect 6 No. flats with associated parking.
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### Decision

1. The appeal is allowed and planning permission is granted to demolish existing building and erect 6 No. flats with associated parking at 300 Ringwood Road, Poole BH14 0RY in accordance with the terms of the application, Ref APP/17/00288/F, dated 20 February 2017, subject to the conditions set out in the attached schedule.

### Main Issue

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

### Reasons

3. The appeal site is prominently located at the junction of Ringwood Road and Walton Road and backs onto Lacey Crescent. It contains a detached two-storey building which is in mixed residential/commercial use. The site is conspicuous for its display of used cars for sale on the forecourt between the building and the pavement. The planning history suggests that this activity is lawful.
4. This stretch of Ringwood Road is predominantly residential in character. It features a range of dwelling types, including a pair of recently erected apartment blocks diagonally opposite the appeal site. The Council has confirmed that a flatted scheme is acceptable in this location. Its principal concern relates to the quantum of development being proposed under this particular application.
5. The proposed building would be comparable in height to adjacent houses and its eaves line would give the impression of a two-storey development. Although positioned marginally forward of the existing building, it would respect the prevailing building line on this side of Ringwood Road. The palette of external materials would mirror that used on other properties local to the site and this would help to assimilate the scheme into the street scene.

6. The development would have a larger footprint than existing and it would bring buildings closer to Walton Road. However, I have seen no compelling evidence to persuade me that the scheme would be unduly dominant, or that it would result in substantive harm to the character or appearance of the area. On the contrary, I consider that the proposed design is an appropriate response to this corner plot, with the turret bay feature providing an interesting focal point, particularly when approaching along Ringwood Road from the west. In my judgement, the proposal would add to the diverse mix of architectural styles in the area and contribute positively to its surroundings.
7. Policy PCS5 of the Poole Core Strategy (2009) (PCS) stipulates that plot coverage, including buildings, car parking, cycle and bin storage and other hard surfacing should not exceed 50% of the site. Although the proposal would fall short of meeting this requirement, it would represent a significant enhancement over the present situation where the site frontage is dominated by hard surfacing and cars. The scheme would include planting behind new railings and this would soften the appearance of the building. Landscaping would also mitigate the visual impact of the new parking spaces on Lacey Crescent.
8. The Council has expressed particular concern regarding the large expanse of flat roof which it contends would result in a bulky building. However, the mass would be well articulated and the development would be no deeper than No.302 Ringwood Road adjoining. The storey of accommodation in the roof would not be appreciable, except from the rear of the site where the dormers would read as modest and subservient additions to a pitched roof.
9. Overall, I consider that the proposal would make efficient use of the site without appearing cramped or intrusive in the street scene. It would not cause material harm to the character or appearance of the area and would comply with Policies PCS5 and PCS23 of the PCS and Policy DM1 of the Poole Site Specific Allocations and Development Management Policies Development Plan Document (2012) (DPD). Collectively, these policies seek to ensure that the design of new development respects the setting and character of the site, surrounding area and adjoining buildings.

### **Other matters**

10. The submitted unilateral undertaking (UU) would secure a financial contribution towards Strategic Access Management and Monitoring to mitigate the adverse impact on the Dorset Heathlands European protected sites, in accordance with Policy PCS28 of the PCS and Policy DM9 of the DPD. I consider that the measures in the UU are necessary, directly related to the development and fairly and reasonably related in scale and kind. As such they would accord with the provisions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the tests for planning obligations set out in the National Planning Policy Framework (the Framework).
11. Residents have raised concerns regarding the adequacy of parking provision. However, the proposal for five parking bays would meet the requirements of the Council's Parking and Highway Layout in Development Supplementary Planning Document (2011), subject to a condition ensuring that those spaces remain unallocated. The submitted parking survey demonstrates that there would be sufficient on-street capacity in the area to cater for visitors and any overspill parking. On this basis, parking would not constitute a reason to dismiss the appeal.

12. Whilst I note the comments regarding disruption during building work this is unlikely to be significant and in any event would not have a lasting effect on local residents.
13. The officer report states that the proposal would not provide a good standard of amenity for future occupants of the two studio flats in the roof spaces. This is not cited as a reason for refusal. I am nonetheless satisfied that the residents of both flats would enjoy acceptable living conditions as regards daylight and outlook.

### **Conditions**

14. The Council has provided a list of suggested conditions, in the event that I am minded to allow the appeal. I have considered each against the six tests set out at paragraph 206 of the Framework and advice contained within the Planning Practice Guidance. Where necessary I have made adjustments to improve precision and enforceability.
15. In addition to the standard time limit condition I have attached a condition specifying the approved plans to provide certainty and define the scope of the permission. Conditions are necessary to ensure that the Council has control over external materials for the building and the landscaping of the site, to protect the character and appearance of the area.
16. In the interests of highway safety conditions are required to ensure that the parking spaces are laid out in a consolidated material prior to the flats being occupied, and to stipulate that these spaces are not allocated to individual residents or residential units. Cycle parking should be provided in accordance with the Council's standards and kerb heights adjusted to suit amended access arrangements, with footways reinstated as appropriate. Conditions can be used to cover both matters. The cycle parking condition is worded to include reference to the storage of bins, to ensure that acceptable provision is made for both uses within the same part of the building.
17. To prevent flooding I have attached a pre-commencement condition to require the submission, for the Council's prior written approval, of a scheme of surface water drainage, such scheme to be based on sustainable drainage (SuDs) principles. This would render the other suggested drainage condition unnecessary. To guarantee compliance with Policy PCS32 of the PCS a further condition is necessary to secure the implementation of a scheme of on-site renewable energy to meet a minimum of 10% of predicted energy use.

### **Conclusion**

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

*Robert Parker*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PA01 No. 01.B, PA01 No. 02 and PA01 No. 03.C.
- 3) No development shall take place until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include as a minimum:
  - a) Species, planting sizes and planting densities for all new planting;
  - b) Details of the design, colour and finish for the railings shown on the approved plans; and
  - c) Details of any other means of enclosure.

The approved scheme shall be fully implemented as follows:

- i) All hard landscaping (including erection of the railings) shall be carried out prior to first occupation of the development;
  - ii) All new planting shall be carried out in the first planting season October to March inclusive following occupation of the building or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the local planning authority;
  - iii) All planting shall be carried out in accordance with the relevant British Standards, including regard for plant storage and ground conditions at the time of planting;
  - iv) The scheme shall be properly maintained for a period of 5 years and any plants which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the local planning authority gives written consent to any variation; and
  - v) The whole scheme shall be subsequently retained.
- 5) No development shall take place until a scheme of on-site renewable energy sources to meet a minimum of 10% of predicted energy use of the residential occupiers has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation of the development and it shall be retained and maintained in full working order thereafter.
  - 6) No development shall take place until a scheme of surface water drainage, based on sustainable drainage (SuDs) principles, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation of the development and it shall thereafter be retained and maintained in full working order.

- 7) The development shall not be occupied until the parking spaces shown on the approved plans have been laid out and surfaced in a properly consolidated material (not loose stone or gravel), in accordance with details to be first submitted to and approved in writing by the local planning authority. None of the parking bays shall be allocated to individual residents or residential units, except for bay No. 1 which can be allocated to disabled residents.
- 8) The development shall not be occupied until bin storage and secure parking for six bicycles has been provided in accordance with details to be first submitted to and approved in writing by the local planning authority. The approved bin store and cycle parking provision shall be retained thereafter.
- 9) The development shall not be occupied until existing kerb heights have been adjusted and footways reinstated to suit the amended access arrangements, in accordance with details to be first submitted to and approved in writing by the local planning authority.