



Appeal Decision

Site visit made on 28 November 2017

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 07 December 2017

Appeal Ref: APP/Q1255/W/17/3181023
100 Conifer Avenue, Poole, BH14 8RX

- 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 Stephane Benfield and Sonja Lockyer against the decision of Poole Council.
 - The application Ref APP/17/00184/F, dated 8 February 2016, was refused by notice dated 19 June 2017.
 - The development proposed is alterations to the existing dwelling and the erection of a detached dwelling with associated access and parking.
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Decision

1. The appeal is dismissed.

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 situated within a late-20th century residential suburb of Poole. The area is characterised by the broadly consistent scale and form of houses, as well as by a regular plot rhythm and layout, with small groups of houses unified by a specific design. End plots tend to be larger, providing views to surrounding vegetation and a sense of openness at street corners. Overall, the careful spatial planning, gaps in development and views to mature planting, contribute positively to the character and appearance of a verdant and spacious suburban environment.
4. 100 Conifer Avenue (No 100) occupies an end plot bounded to the side and to the rear by a public footpath, which terminates a small group of staggered houses of similar design. The dwellings in this group present a coherent frontage onto Conifer Avenue, each two-storeys with an attached side garage, set back from the pavement edge by open front gardens and parking areas. The rhythm of these houses, combined with their generous front and rear gardens, adds to the sense of openness and spaciousness that typifies the area. Moreover, the overall layout provides views to the green apron of mature trees along the footpath, which also makes a positive contribution to the verdant character and appearance of the wider area.

5. The appeal proposal would involve the demolition of the single-storey linked garage from the side of No 100, facilitating the construction of an additional dwelling beside it where ancillary sheds currently stand. The Council take no issue with the architectural handling of the proposal, which would appear similar to the altered No 100. However, while the proposed new dwelling would follow the ridge line of its neighbour, it would also sit flush with its front elevation, deviating from the staggered rhythm that defines the rest of the group. Together, the two dwellings would appear as noticeably small in comparison with the prevailing context, and neither would have an attached side garage. As a result, the proposal would undermine the consistency of form currently that exists along this part of Conifer Avenue and erode the careful spatial planning that characterises the wider suburb.
6. I note that the latest design iteration has increased the space between the proposed dwelling and its boundaries with No 100 and the footpath; a detached garage to the front of No 100 has been omitted; and the number of bedrooms reduced to three. Nevertheless, the proposed dwelling would sit tightly on the plot, with very limited green space to the front and rear, appearing cramped and constrained as a result. While there would be sufficient separation distance to provide for parking off-street, the provision of green space and open area to the front of the proposed dwelling would be comparatively meagre. The impact would be to compromise the important sense of openness and space that is derived from more generous end plots; and to diminish views to the mature vegetation within and behind the appeal site.
7. Despite the use of sympathetic materials and a small set-back from the road, the constrained nature of the proposed development would be prominent, particularly given its proximity to the public footpath. While noting that the Council's Officer came to a different view, I judge that the effect of the scheme would be to diminish unacceptably the character and appearance of the area.
8. The development would therefore not accord with Policies PCS 5 and PCS 23 of the Poole Core Strategy, 2009, insofar as these policies only permit development involving plot severance where sufficient land can be assembled and when it preserves or enhances the area's residential character; where the design of buildings contributes positively to those attributes of a particular street which distinguish it; and requires development to be of a high standard of design, and respect the setting and character of the site. There would also be conflict with Policy DM 1 of the Poole Site Specific Allocations and Development Management Policies Development Plan Document, April 2012, which expects development proposals to respond to the local area or the site's specific constraints. The proposal would also fail to accord with the core planning principles and policies within the National Planning Policy Framework (the Framework), namely those which seek to secure high quality design and take account of the character of different areas.

Planning balance

9. An absence of harm in relation to living conditions, trees and highway safety is a neutral factor. While these matters do not count against the proposed development, nor do they weigh in the balance in its favour. The SAMM and CIL contributions are also required in mitigation of the impact of development, rather than as benefits. The proposal would contribute one new dwelling, which would make a small but nonetheless beneficial contribution towards the

supply of housing. There would also be economic benefits during construction, albeit relatively short-term, and through future occupiers supporting local businesses. The site is unquestionably located where there would be options to travel without reliance on a private car, with facilities and services within easy walking distances.

10. While recognising that windfall sites can play an important part in terms of land supply in urban areas, and the benefits of making the most efficient use of urban land, the provision of one house and the associated social and economic benefits would be very minor and would result in material harm to the character and appearance of the area. This would be an environmental harm that would not be outweighed by the provision of high insulation and low energy consumption standards. The detrimental impacts of the scheme therefore outweigh the benefits, which would not represent sustainable development for the purposes of the National Planning Policy Framework.

Other matters

11. A number of recent developments within the area have been drawn to my attention. All of the permissions cited, including the more historic ones, may well be demonstrative of the Council's acceptance, in certain circumstances, of smaller garden development. However, I do not know the details of the circumstances that led to these proposals being accepted and so cannot be sure that they represent a direct parallel to the appeal proposal, including in respect of location, site-specific characteristics and national and development plan policy.
12. While it has been put to me that some of the permissions fail to respect the prevailing local character, those included in the Appeal Statement appear to have managed to secure a reasonable amount of front and rear garden space, and separation distance with existing dwellings, which the appeal proposal would not. Moreover, the developments at 5 Broadwater Avenue, 25 Conifer Avenue and 48 – 50 Lilliput Road, and 38 & 40 Alton Road, 6 Compton Drive (APP/Q1255/A/13/2207842), 7 Corfe View Road (APP/Q1255/A/13/2206306) involved the wholesale demolition of the existing dwellings, a material difference to the proposal before me. While the approvals at 17 South Western Crescent involved the alteration of the existing dwelling to accommodate a new dwelling, it is apparent that the plot and local context to be markedly different compared with the appeal proposal. I therefore do not find these examples provide a compelling justification for allowing the appeal, which, in any event, has been determined on its own merits.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR