The Planning Inspectorate

# Appeal Decision

Site visit made on 13 October 2020

**by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 November 2020**

**Appeal Ref: APP/V1260/W/20/3255281**
**Forest Lodge, 16 Burton Road, Poole BH13 6DU**

- 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 Chine Developments Ltd against the decision of Bournemouth, Christchurch and Poole Council.
- The application Ref APP/20/00048/F, dated 13 January 2020, was refused by notice dated 13 May 2020.
- The development proposed is the construction of a detached residential coach house in place of the previously approved triple garage and alterations to the parking area to form additional parking spaces.

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are (1) the effect of the development on the character and appearance of the area, which is within a designated Conservation Area, and (2) whether this is a suitably accessible site for a new dwelling to be located.

## Procedural Matter

3. The Council has confirmed that to mitigate the impact of the development on Dorset Heathlands and Poole Harbour Special Areas of Conservation the applicant has made a payment under S.111 of the Local Government Act 1972. As such, the Council is content that refusal reasons 4 and 5 have been overcome and offers no further defence in this respect. I have no reason to disagree with that position, but if I were to allow the appeal, I would need to undertake an appropriate assessment and consult Natural England. As I have dismissed the appeal, I have not needed to undertake the appropriate assessment. The main issues are therefore in response to reasons for refusal 1-3.

## Reasons

*Character and Appearance/Conservation Area*

4. The site is within a residential area characterised by detached houses (some converted to flats) in large plots. The area is also particularly verdant with high levels of mature landscaping evident around many dwellings. The site is also within the Branksome Park and Chine Gardens Conservation Area (the CA). The

site is also near to the Chester Road CA. The Branksome Park CA is a heritage asset that derives its significance from the spacious leafy character with many attractive architecturally positive houses/buildings.

5. With regards to the CA, paragraph 193 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Furthermore, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas in the exercise of planning functions.

6. On site there is the partially constructed garage block which has planning permission. However, this scheme would develop this into a dwelling instead. As a garage block, fronting onto a hardstanding parking area, this would be an appropriate location. Instead, the result of the proposal would be a new small dwelling set to the rear of the main building of No 16 Burton Road. In this regard, the proposal would represent a backland dwelling which is incongruous to the prevailing character of the area, where typically dwellings have a clear road frontage even if they are set back within the plots.

7. The fact that there is an extant permission for a garage in this location within the site is not reason to find a new dwelling in the same location as appropriate. As stated above, there are examples of outbuildings including garages to the sides and rear of existing main dwellings within plots in the locality, but this is not the case with regards separate dwellings. The appellant has stated that there are other cases of 'coach house' style dwellings in backland locations, but there is little detail of such examples and from my assessment of the site locality this development is not in keeping with the character of this residential area.

8. In visual terms, the proposed dwelling would be visible from Western Road and Burton Road to some extent. Although some may think this could be an ancillary outbuilding, I would consider it likely that over time it would be clear as another detached dwelling set towards a corner of the site within the garden of No 16. It would be especially evident as such if it was to have its own garden area, but the appearance of the elevations would clearly indicate it as a dwelling of some sort rather than an ancillary outbuilding.

9. It is the case that some coach houses would have typically been to the rear of the main house, but I am not persuaded that the proposed dwelling would appear anything other than a new dwelling built within the garden area of No 16. As such, whilst it would be subordinate in scale to No 16, the backland location of the proposed dwelling would appear out of keeping with the prevailing character of the area.

10. In terms of the design and scale of the proposed dwelling, especially in relation to No 16, it would have similarities to that of the approved garages. However, it is the incongruous nature of a dwelling set within an isolated backland location, with no clear engagement with a road frontage, which would have an adverse effect on the character and appearance of this area.

11. As the significance of the CA is partially derived from the attractive layout of the properties within their plots, the introduction of a dwelling in such an incongruous location at odds with the character of the area and its prevailing

pattern of development would have a detrimental impact on this significance, even if there was no loss to existing landscaping.

12. Nevertheless, this harm would be less than substantial and in accordance with paragraph 196 of the Framework, and that harm should be weighed against any public benefits of the proposal. Such benefits include the modest contribution to the local economy during its construction phase and thereafter through the use of services and facilities in the area by its future occupants. In social terms the proposal would make a positive contribution towards the council's housing land supply, albeit by a small amount. The appellant argues that this is an efficient use of land and that the design would be an improvement over the existing approved garage, with materials and appearance to be in keeping with the main building at No 16. The issue of accessibility is considered in more detail in the next section, but this is a residential area with some access to public transport, for example. There could also be biodiversity enhancements.

13. After considering these public benefits I would regard them as being cumulatively modest. However, such public benefits arising from the proposal do not outweigh the identified harm, to which I must attach considerable importance and weight.

14. As such, the proposal is contrary to policy PP30, PP27 and PP28 of the Poole Local Plan 2018. These policies require development to reflect or enhance local patterns of development, preserve or enhance the area's residential character, and, for sites within CAs, enhance or better reveal the significance and value of the site within the street scene and wider setting.

*Sustainable Transport*

15. Policy PP2 of the Poole Local Plan sets a hierarchy of sequentially preferable areas for additional residential development, seeking to direct the highest densities and majority of new development to town centres, district and local centres. If not in these centres, then development should be within sustainable transport corridors. Whilst the site is within a residential area of Poole it is not within a centre of any sort, nor a sustainable transport corridor area.

16. Policy PP2 does, however, allow for development elsewhere within Poole where the scheme is capable of delivering sustainable patterns of development. In this case there does appear to be space for cycle parking at the site. Furthermore, there are some bus routes with stops in the area, together with some shops and services within walking or cycling distance for some.

17. Therefore, whilst the site would not be within a transport corridor it would not be in an area where there would be an over-reliance on the use of the private car for frequent journeys. On this basis, the proposal is in accordance with policy PP2 of the Poole Local Plan 2018 with regards to accessibility. However, this does not overcome the issue of the effect of the development to the CA and the general character and appearance of the area, which is part of the overall assessment as to whether this is a sustainable form of development.

## Planning Balance

18. The Council state that they can demonstrate a sufficient housing land supply. I am aware also of the latest results of the Housing Delivery Test for Poole. Nonetheless, the proposal would provide a new dwelling towards housing land

supply in the area, together with the other benefits raised by the appellant and those set out within paragraph 12 above. However, the harm would significantly and demonstrably outweigh these modest benefits. Furthermore, the conditions advised by the appellant would not address the harm sufficiently to change this conclusion.

**Conclusion**

19. For the reasons set out above, and taking into account all matters raised, the appeal should be dismissed.

*Steven Rennie*

INSPECTOR