



Appeal Decision

Site Visit made on 15 December 2020

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2021

Appeal Ref: APP/V1260/W/20/3258765
2 Chesterfield Close, Poole BH13 7DL

- 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 Amirez Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref APP/19/01531/F, dated 11 December 2019, was refused by notice dated 21 April 2020.
 - The development proposed is demolition of existing dwelling and the erection of 2 detached dwellings with associated access and parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council's fourth and fifth reasons for refusal related to harm to the Dorset Heathland and Poole Harbour Special Protection Areas. The decision notice indicated that these reasons could be overcome, by completion of an agreement securing the payment of financial contributions towards mitigating measures. During the appeal, a financial contribution has been paid to the Council by the appellant, pursuant to an Agreement under Section 111 of the Local Government Act 1972. As I am dismissing the appeal, it is not necessary for me to consider the proposal any further in respect of the Conservation of Habitats and Species Regulations 2017.
3. Therefore, the main issue is whether the development would preserve or enhance the character or appearance of the Branksome Park and Chine Conservation Area and the setting of the Canford Cliffs Conservation Area.

Reasons

4. The appeal site lies in the southern part of the Branksome Park and Chine Conservation Area (the BP CA). The significance of the BP CA lies in its spacious sylvan character, which results from its planned division into large plots in the 19th century. The road layout and generous wooded plots, dating from the original plan, give the area a distinctive verdant character, where trees and vegetation dominate the streetscape and buildings are spaced well apart from each other. The detached houses are of varying architectural styles, reflecting the long period over which the area has been developed, but they are generally of a high standard of design. The individuality of the houses, and the

informality of their relationship with the roads, contributes to the significance of the heritage asset.

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
6. 2 Chesterfield Close is an individually designed detached bungalow that is distant from other buildings and is sited on a large plot. To this extent it conforms with the spatial characteristics of the BP CA. However, its front boundary comprises a low brick boundary wall, surmounted by railings, and there is little mature planting in the front garden. As a result, the bungalow does not sit in a wooded setting, and is uncharacteristically open to view. It does not therefore make a positive contribution to the significance of the heritage asset. Nevertheless, its low-profile nature, and set-back from the road, means it does not have a dominant presence in the street scene. Consequently, it does not significantly harm the special character of the BP CA.
7. The proposed subdivision of the site would result in two plots that, whilst still reasonably generous, would be smaller than is characteristic of the BP CA. Although the two houses would largely occupy the footprint of the existing bungalow, their much-increased bulk and height, and proximity to each other, would result in each plot having a relatively cramped appearance. This would be readily evident, as the gap between the buildings would be too narrow to accommodate significant planting, allowing the two houses to be seen side by side from the street. Whilst there are other similarly sized plots within the BP CA, the wooded nature of the area, and the retention of large gaps between buildings means that in those instances, unlike the current proposal, the characteristic spaciousness of the area is still maintained.
8. The houses would be set further back from the road, and would not have a substantially greater footprint than the existing bungalow. However, their two-storey scale, across virtually the entire site, would give them a much more strident presence. Furthermore, the two garages would be of a significant size and height, and would sit forward of the houses. Together with the attendant accesses and driveways, this would result in the development being a prominent addition to the street scene. Whilst the plans show the provision of some landscaping to the frontage, its scale and effectiveness would be limited by the two accesses, and the space available between the garages/drives and the road. As a result, the houses would be readily visible, and would result in an uncharacteristic dominance of buildings in the streetscape that would be harmful to the verdant nature of the BP CA.
9. The submitted Design & Access Statement describes the new dwellings to be of a traditional Georgian design. The diverse range of architectural styles in the BP CA is recognised as part of its special interest in the Branksome Park Conservation Area Character Appraisal and Management Plan (2006) (the Character Appraisal). The Design Code in the Character Appraisal says a mix of styles should be maintained to avoid repetitive designs gaining prominence in any locality, and that contemporary styles may be appropriate. However, in view of the historical provenance of the area, no building style should pre-date the 1860s, so mock Georgian architecture would be unacceptable. The proposal would, therefore, be contrary to the design advice in the Character Appraisal.

10. The Character Appraisal was adopted 14 years ago, and predates the replacement dwellings at 1 and 3 Chesterfield Close. However, its stated purpose, to manage future changes and development proposals within the Conservation Area, in ways that preserve or enhance its character or appearance, are consistent with local and national planning policy. It therefore still carries some weight as a material consideration in my decision. The proposed houses would be prominent, and their architectural style would jar with the prevailing character of the area. This harmful impact would be exacerbated by their close proximity to each other, and their almost identical design, which would conflict with the characteristic individuality of buildings elsewhere in the BP CA.
11. In combination, the uncharacteristically small plot sizes; the lack of space between the houses; the predominance of buildings over trees and vegetation; and the incongruous design and lack of individuality of the houses, results in a development that would harm the character and appearance of the BP CA.
12. The southern boundary of the appeal site borders the rear gardens of houses in Spencer Road, which lie within the Canford Cliffs Conservation Area (the CC CA). The land in Spencer Road rises up to the appeal site, and the trees either side of the garden boundaries provide a leafy backdrop to the houses in the CC CA. The existing bungalow at 2 Chesterfield Close is not visible from Spencer Road. The increased height of the proposed houses, and their location further back on the plot, may result in their roofs being glimpsed from Spencer Close. However, they would be seen between trees, and at a considerable distance. As a result, there would be no harm to the setting of the CC CA.
13. The harm to the BP CA would be localised, and therefore the impact on the heritage asset, as a whole, would be less than substantial within the meaning of Paragraph 193 of the National Planning Policy Framework (the Framework). However, less than substantial harm does not mean less than substantial weight should be afforded to this harm. Rather, as the Framework sets out, great weight should be given to the conservation of designated heritage assets.
14. Less than substantial harm should be considered in a balanced manner, against any public benefits associated with the development. The creation of an additional dwelling would contribute towards the government's aims of significantly boosting the supply of homes and making effective use of land within settlements. The development would provide employment during its construction, and there would also be an ongoing benefit from future occupants supporting local businesses and services. However, these benefits would be modest, due to the small scale of the development.
15. Paragraph 194 of the Framework advises that any harm requires clear and convincing justification. The public benefits of the appeal scheme are limited and, consequently, would not outweigh the harm that I have identified to the BP CA. I therefore conclude that the proposals would be contrary to Policies PP27, PP28 and PP30 of the Poole Local Plan (November 2018). Taken together, these policies seek to ensure that development reflects local patterns of development, plot sub-divisions preserve the area's residential character, and development within Conservation Areas enhances or better reveals the significance of the site within the street scene.
16. In arriving at this conclusion, I have had regard to the examples of plot subdivisions in the locality that have been drawn to my attention. The dwelling

at 12A Western Avenue is a low-level largely glazed dwelling set amongst mature trees. It therefore has little presence in the street scene. I note that the Inspector, in allowing the appeal, concluded that the dwelling would be designed to a high standard that would enhance its immediate surroundings. The dwelling at 2 Western Avenue is of a contemporary cuboid design in a woodland setting. Whilst the plot size is smaller than others in the BP CA, this is not evident in the street scene, and the house is well away from any other buildings. The characteristic wooded spaciousness of the heritage asset has therefore been maintained. The dwelling at 2 Burton Road is on a backland site, so is not prominent in the street scene.

17. I therefore find that none of the cited examples are directly comparable to the scheme before me, which, in any event, should be considered on its own merits. Consequently, they do not alter my conclusion that the appeal proposal would be harmful to the character and appearance of the BP CA.

Planning Balance

18. The appellant has commented that the Council has only met 68% of its assessed need under the Housing Delivery Test. However, the Council's assertion that it can demonstrate a five-year supply of deliverable housing sites has not been challenged. Consequently, the tilted balance set out at paragraph 11 d) of the Framework does not apply. In any event, the application of policies in the Framework that protect heritage assets provides a clear reason for refusing the development.

Conclusion

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

Nick Davies

INSPECTOR