



Appeal Decision

Site visit made on 5 April 2022

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2022

Appeal Ref: APP/D1265/W/21/3284836

2 Blythe Road, Corfe Mullen, Wimborne BH21 3LR

- 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 Chris Payne (Fervent Land and Planning Limited) against the decision of Dorset Council.
 - The application Ref 3/21/0362/FUL, dated 18 February 2021, was refused by notice dated 30 July 2021.
 - The development proposed is described as, "Development of existing site to provide a pair of 3 bedroom semi detached homes with associated off street parking and individual gardens".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Amended plans were submitted at the appeal stage, which include proposed amendments relating to a reduction in the proposed eaves and ridge height and adjustments to the roof form of the proposal. The 'Procedural Guide: Planning appeals – England' makes it clear that 'the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought'.
3. I have considered whether these amended plans should be accepted. I note the appellant's points regarding the potential impact of the amended proposals on local residents, but as the revised proposals would materially alter both the aesthetic design and height of the scheme, I have considered the same plans that the Council determined the planning application on. To do otherwise would deprive those who should have been consulted on the change, the opportunity of such consultation.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site comprises a detached bungalow with an adjoining garage which is set-back somewhat from the street. Blythe Road, as a whole, exhibits a variety of dwelling types, forms, sizes, styles and materials, including some 2-storey properties, which include the dwelling on the corner of Blythe Road

facing Wareham Road, although bungalows and chalet bungalows are commonplace.

6. I observed the whole of the cul-de-sac that comprises Blythe Road. I saw that in views from near 16 Blythe Road towards the site there is the appearance of a gradual lessening of the height of the dwellings on the appeal site's side of the street, due to the height of the roof forms visible from that point. There is a row of several bungalows on the appeal site's side of the street, including the adjacent dwelling, 4 Blythe Road (No 4), which is a particularly low-rise property.
7. Similarly, although there is greater variation in the scale of dwellings near the site on the opposite side of the street, bungalows are present, including 1 Blythe Road. Some of the nearby bungalows contain accommodation in their roof space, but nevertheless, the predominant characteristic of the immediate area is of low-level dwellings. Many of the nearby dwellings are also fairly compact in terms of their massing.
8. In this context, the proposed 2 semi-detached dwellings would incorporate an appropriate range of materials and would be sited on the footprint of the existing bungalow. In design terms they would successfully replicate the traditional stylings found on many nearby dwellings, including in relation to the proposed roof forms.
9. However, although it is noted that there are some dwellings with differing heights adjacent to each other further up Blythe Road, and the proposed 2-storey dwellings would be set-back somewhat from the road, the proposed dwellings would be significantly taller than both No 4 and many of the immediately surrounding properties, including some of those on the opposite side of the street. Due to this, and their overall bulk and massing, they would noticeably disrupt the low-level aesthetic which predominates in the vicinity. Their incongruity in this location would be exacerbated by the fact that due to its position near the junction between Blythe Road and Wareham Road, the site is in a fairly prominent location.
10. A number of the frontages to nearby dwellings on Blythe Road are hard surfaced, albeit some also contain modest areas of soft landscaping. Nevertheless, the proposal would create a particularly deep and wide area of hard surfacing to the front of the proposed dwellings. The substation and the minimal amount of soft landscaping proposed for the frontage would only provide a limited amount of screening of this wide area. Accordingly, this aspect of the proposal, including the potential for up to 5 cars to be parked on it, would have an overly-stark and utilitarian appearance which would undermine the attractiveness of this part of Blythe Road.
11. Whilst planning conditions are commonly imposed to secure the details of soft landscaping, based on the plans before me the proposed area of hard surfacing would be so expansive that in my view conditions relating to soft landscaping would not adequately mitigate the harm that this aspect of the proposal would cause to the character and appearance of the area. As such, those conditions would not make the proposal acceptable in planning terms.
12. I therefore find that the proposal would have an unacceptable and significantly harmful effect on the character and appearance of the area. The proposal would conflict with Policy HE2 of the Christchurch and East Dorset Local Plan:

Part 1 - Core Strategy (adopted 2014) which provides that, amongst other things, the design of development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness. The proposal would also conflict with paragraph 130 b) and c) of the National Planning Policy Framework (the Framework) which provides that, amongst other things, planning decisions should ensure that developments are visually attractive as a result of effective landscaping, and are sympathetic to local character.

Other Matters

13. One of the reasons for refusal relates to the potential adverse effect of the proposal on protected species, with the Council's concerns primarily appearing to relate to the lack of a bat survey in support of the application. However, I note that there is an extant grant of prior approval to demolish the bungalow¹, and that consequently the application does not appear to propose demolition. Moreover, there is no evidence before me to suggest that the proposal is likely to impact on protected species by any means other than demolition. In any event, there is no need for me to make a finding in relation to this issue given that I am dismissing the appeal on the basis of my findings in relation to the main issue.
14. No concerns have been raised by the Council in their decision notice with respect to matters relating to highway safety, the living conditions of future or neighbouring occupiers, density, drainage, or flood risk. However, even if I were to likewise reason that the proposal would be acceptable in these respects, these would be neutral factors rather than ones which weigh positively in favour of the proposal.
15. The appellant has referred to the requirement found in paragraph 38 of the Framework for Local Planning Authorities to work proactively with applicants, but the conduct of the Council at application stage is not something that I can assess in the context of a planning appeal.
16. The occupiers of No 4 have not objected to the proposal. Nevertheless, on the main issue I have found that the proposal would have an unacceptable and significantly harmful effect on the character and appearance of the area, and this would remain the case notwithstanding the views of interested parties.
17. The proposal would provide a net gain of one new dwelling in an accessible and established residential area, on a site which already contains an existing dwelling. In this way, the proposal would make an efficient use of land. The proposal would support the Government's objective of significantly boosting the supply of homes, promoted by the Framework and the Government's 2017 White Paper on housing, and would contribute to the mix of housing types in the local area. However, considering the quantum of development proposed, these matters can only be given limited weight.
18. The proposal would contribute to the economy in a number of ways, including by providing work for construction professionals and suppliers, via Council tax payments, property and corporation taxes, and from the future occupiers of the proposal contributing to the local economy. This is particularly important in the context of the ongoing coronavirus (COVID-19) pandemic.

¹ Ref 3/20/0555/PNDEM

19. In terms of its environmental impact, the proposal would incorporate modern materials and is intended to be environmentally compliant, to minimise energy demand and to reduce carbon emissions. Solar panels are included in the proposal, thereby reducing the reliance on fossil fuels. The appellant has asserted that locally-sourced materials and labour would be utilised, whenever possible. The proposed parking area would potentially allow future occupiers who already own or purchase electric cars to park on site, which would assist in meeting the Government's target of Britain becoming carbon neutral by 2050.
20. Taking into account all of the above, and considering the quantum of units involved and the overall scale of the proposal, I give no more than moderate weight to all the benefits of the proposal. Set against these benefits is the significant harm that the proposal would cause to the character and appearance of the area. I therefore find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan.

Conclusion

21. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

Alexander O'Doherty

INSPECTOR