



Appeal Decision

Site visit made on 22 April 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 30 May 2022

Appeal Ref: APP/V1260/W/22/3290398

73 Pottery Road, Poole BH14 8RB

- 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 Howard Baron of J. A. Baron Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref APP/21/01008/F, dated 29 June 2021, was refused by notice dated 7 September 2021.
 - The development proposed is severance of the existing site and demolition of the existing garage to form a new plot for the construction of a new two storey dwelling and associated external works. Extension of the existing dropped kerb to improve vehicular access to existing dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Two of the Council's reasons for refusal concerned the effect of the proposed development on the integrity of Poole Harbour and the Dorset Heathlands (as European protected sites). However, following payment of financial contributions towards a Strategic Access Management and Monitoring project in respect of each protected area during the course of the appeal, the Council has confirmed that any potential adverse effects can now be adequately mitigated. On this basis, the Council is satisfied that these reasons for refusal have been overcome. In any event, as I am dismissing the appeal on other grounds, further consideration of this factor, including an appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) to determine any impact of the proposal on the integrity of Poole Harbour and the Dorset Heathlands, is not required.

Main Issue

3. In this context, the sole main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is located on the northern side of Pottery Road, and comprises a semi-detached chalet style bungalow, with a separate detached garage. In terms of size, scale and design, the appeal property is typical of numerous others along the street. Houses along this part of the road are mostly set within generous plots, with notable gaps in between. This gives the area a strong degree of openness, which contributes positively to its overriding character. Property frontages also help amplify this open character, as they are

mostly typified by unenclosed front gardens with separate driveways, which adds further verdancy and sense of space to the streetscape.

5. The proposed development would subdivide the appeal site, to create an additional detached dwelling in place of the current garage. Whilst there are other detached dwellings along the northern side of the road, these are generally much wider than the proposed dwelling, and more closely reflect the size and scale of the neighbouring pairs of semi-detached houses. This means they still manage to conform to the established pattern of built form along the road. Conversely, the new detached house would occupy an uncharacteristically narrow plot when compared to these neighbouring houses, thereby disrupting the established pattern of development, which would harm the street scene.
6. Moreover, and owing to the narrowness of the plot, the new house would extend substantively across its full width, leaving just a small gap between its flank wall and no. 73. As a result, the dwelling would appear overly constrained within its plot, which in turn would detract from the prevailing sense of openness along the street. This impact would be further compounded by the proposed parking arrangement, as the entirety of the property's frontage would be dominated by the two parking spaces. This would undermine the sense of verdancy and space which help characterise the road.
7. For these reasons, the development would significantly and demonstrably harm the character and appearance of the area. It would conflict with Policy PP27 of the Poole Local Plan (2018) (Local Plan), which says new development should achieve a good standard of design, which reflects and enhances the local pattern of development in terms of layout, siting, height and scale. It would also conflict with Policy PP28 of the Local Plan, which says plot subdivision will only be permitted where there is sufficient land to enable a type, scale and layout of development which would preserve or enhance the area's residential character.

Other Matters

8. The Council cannot demonstrate a five-year supply of deliverable housing land and has failed to meet the Housing Delivery Test, which means its policies relating to delivery of housing are out of date. Paragraph 11(d)(ii) of the National Planning Policy Framework (2021) (the "tilted balance") is therefore engaged. Nonetheless, paragraph 219 of the Framework is clear that due weight should still be given to existing policies according to their degree of consistency with the Framework.
9. Paragraph 130 of the Framework is explicit that new development should function well and add to the overall quality of an area. It highlights that development should be visually attractive and sympathetic to local character and surrounding built environment. The content of the Framework therefore reflects the overriding design and character principles of the Local Plan in terms of new residential development. Even accounting for the Framework's objective of boosting the supply of housing and the Council's housing land supply position, the conflict between the proposal and the relevant policies of the Local Plan should therefore be attributed significant weight in this appeal.
10. As mentioned above, the proposal would contribute to the Council's housing stock. Whilst any increase is desirable, the net addition of one dwelling would only be a modest contribution in this instance. Consequently, I consider that

the adverse impacts of the development in terms of harm to the character and appearance of the area would significantly and demonstrably outweigh its benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply in this instance.

11. Whilst I note plot sub-division is not uncommon in the wider locality, it is not the principle of the plot severance in itself, which would harm the character and appearance of the area. Instead, the harm would be attributed to the narrowness of the newly created plot, which would jar with the larger and more open plots of the closest neighbouring properties. As such, the examples cited by the appellant do not persuade me that development should be justified in this instance.
12. Similarly, although there are examples of development in the area which extend substantively across the full width of their plot, these are generally much larger properties (or else extensions to existing houses), which more closely reflect the size and scale of neighbouring dwellings. This means they are not sufficiently comparable to the proposal to warrant approval of the development in this instance.

Conclusion

13. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which would outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

James Blackwell

INSPECTOR