



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/21/3288243

127 Alexandra Road, Poole BH14 9EW

- 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 Beechvale Construction against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref APP/21/01155/F, dated 30 July 2021, was refused by notice dated 28 October 2021.
 - The development proposed is severance of existing plot, demolition of existing garage and erection of dwelling with associated landscaping and parking.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been made by Beechvale Construction against Bournemouth Christchurch and Poole Council. This is the subject of a separate decision.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area;
 - the living conditions of the occupiers of the proposed new dwelling, with particular regard to external space; and
 - the integrity of Poole Harbour and the Dorset Heathlands.

Reasons

Character and Appearance

4. The appeal site comprises part of a residential plot along the northern side of Alexandra Road, and currently includes a detached garage which is ancillary to the main dwelling at no. 127. The area is distinctly residential in character, and varies in terms of property types. Nonetheless, the dwellings on the northern side of the road are predominantly two-storey detached or semi-detached houses, which are broadly consistent in height, size and scale. They generally share Edwardian design features, including external brickwork and protruding front gables. The dwellings also adhere to a clear front building line, which is staggered towards the eastern end of the road (where the appeal property is located). Together, these shared features give the properties along this side of

the road a strong degree of coherence and uniformity, which contributes positively to the overriding character of the area.

5. The proposed development would subdivide the existing plot, to create an additional residential dwelling in place of the current garage. Whilst the footprint of the new dwelling would be slightly larger than the existing garage, its overarching size and scale would appear broadly similar.
6. In the context of the neighbouring properties, the new dwelling would therefore appear uncharacteristically small. It would be dwarfed by the adjacent neighbouring properties, which would be significantly taller. This would disrupt the established sense of uniformity along this side of the road, which would harm the overriding street scene. Owing to the constraints of the site, the useable outdoor amenity space would also be located to the front of the property, which means the dwelling would be stepped back much further from the road than its neighbours. This would interrupt the clear and established front building line, which would further disrupt the prevailing pattern of development along the road.
7. The mismatch in siting, size and scale would be further exacerbated by the proposed external materials, which would include a mixture of timber and metal cladding. These materials would jar with the traditional appearance of neighbouring properties, which are predominantly built in a mixture of red and yellow brick. As a result, the new dwelling would appear prominent and stark within this wider context, and would fail to assimilate properly within the street scene.
8. For these reasons, the development would 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.

Living Conditions

9. The proposed development would incorporate an area of outdoor amenity space to the front of the dwelling, which would largely be enclosed by a perimeter wall. Whilst the garden space would be substantially smaller than most neighbouring dwellings, I consider it would be sufficient to accommodate the essential day to day needs of its occupiers. Moreover, the appeal site is located in close proximity to Alexandra Park, which means more extensive outdoor green space would be easily accessible.
10. As such, I am satisfied that the proposed development would provide acceptable living conditions for its occupiers with regard to outdoor space. In this regard, the development would be consistent with Policy PP27 of the Local Plan, which seeks to ensure new residential development provides satisfactory external amenity space for its occupiers.

Poole Harbour and Dorset Heathlands

11. The appeal site is in close proximity to the Poole Harbour Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar Site

(collectively referred to as “Poole Harbour”). Poole Harbour was designated to ensure adequate protection of a number of rare, vulnerable and migratory birds, as well as their associated habitats. The appeal site is also within 5km of the Dorset Heathlands SPA, Special Area of Conservation, SSSI and Ramsar Site (collectively referred to as the Dorset Heathlands). The Dorset Heathlands are an extensive network of lowland heath within south-east Dorset, which are recognised for their national and international importance for nature conservation.

12. The proposed development has the potential to lead to increased recreational use of both Poole Harbour and the Dorset Heathlands, owing to the proposed additional residential unit. In combination with other similar small-scale development, this means the proposal could result in increased disturbance to the protected habitats and species found in each of these protected areas. As a result, it is not possible to rule out likely significant effects on Poole Harbour nor the Dorset Heathlands.
13. Nonetheless, The Poole Harbour Recreation Supplementary Planning Document (2019-2024) and The Dorset Heathlands Planning Framework (2020 – 2025) each set out measures to help mitigate against the potential effects from new housing. This mitigation is achieved through financial contributions towards Strategic Access Management and Monitoring (SAMM), in respect of both Poole Harbour and the Dorset Heathlands. The primary objective of SAMM is to raise awareness of relevant issues, through the employment of project coordinators and wardens to manage visitor pressures on the respective protected areas, and to monitor the effects of new development.
14. Whilst the appellant has indicated that the necessary contributions have been paid pursuant to an agreement under section 111 of the Local Government Act 1972, I have not seen any evidence of payment, nor has the Council confirmed receipt. Whilst confirmation could have been sought from both parties as part of this appeal, as I am dismissing the appeal on other grounds, ultimately this would not have changed the outcome of the decision. I therefore do not intend to discuss the matter further.

Other Matters

15. Whilst there are several examples of smaller dwellings within the wider locality, these are not directly comparable to the appeal plot. The houses within Alexandra Mews are a discrete set of dwellings set out away from the road, and so do not impact on the street scene in the same way as the appeal property. No. 49 Langdon Road is located on a significant bend in the road, which again means it is less integral to any sense of uniformity along the substantive part of the street. Conversely, whilst the appeal property is on a slight bend, it still follows the prevailing pattern of development along the street, and adheres to the front staggered building line. In terms of Langdon Terrace, these properties are similar in height to neighbouring dwellings, and are coherent in their use of front gable features. They also adhere to the front building line, which means they integrate effectively. Finally, 49 Abbotsbury Road is located some distance from the appeal property, where the streetscape is significantly more mixed than the northern side of Alexandra Road. This means more varied development can be accommodated without such extensive harm to the street scene. As such, none of these examples would constitute a precedent that could reasonably justify the development in this instance.

16. 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.
17. 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.
18. 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. There would be other economic benefits in terms of job creation during construction and extra spend in the locality, however these would only be minor. 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.

Conclusion

19. 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