



Appeal Decision

Site visit made on 4 July 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 20 July 2022

Appeal Ref: APP/V1260/W/21/3285654

173 South Western Crescent, Poole BH14 8RS

- 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 K. Griffiths against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref APP/21/00604/F, dated 19 April 2021, was refused by notice dated 26 August 2021.
 - The development proposed is to demolish existing house and erect a pair of detached dwellings with associated access and parking (revised scheme).
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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). Subject to receipt of payment of financial contributions towards a Strategic Access Management and Monitoring project in respect of each protected area, the Council has indicated that any potential adverse effects would be adequately mitigated. The appellant has now paid these contributions to the Council, and the Council has confirmed receipt. On this basis, the Council appears satisfied that these reasons for refusal have been overcome.
3. Nonetheless, 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

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

Reasons

5. The appeal property is a two-storey detached dwelling located on a prominent corner plot along South Western Crescent. The road is residential in character, and is made up of a variety of house types, including bungalows, chalet bungalows, detached and semi-detached houses. Notwithstanding these differences in house type, properties are typically set back from the road within spacious plots, and benefit from open front gardens and driveways. These

common features give the road an open and verdant quality, which contributes positively to the character of the area. Indeed, the appeal property itself is reflective of this prevailing spacious character, with generous areas of garden wrapping around the dwelling.

6. The proposed development seeks to demolish the existing house, and erect two detached dwellings in its place. Whilst there are other detached dwellings along the road, most of these are wider than the proposed dwellings, and more closely reflect the scale of the neighbouring pairs of semi-detached houses. This means they still manage to integrate properly with the established pattern of built form along the road. Conversely, the new detached houses would have narrower frontages than most neighbouring detached or pairs of semi-detached properties, which would disrupt the rhythm of development along the road.
7. This mismatch in scale would be further compounded by the proposed parking arrangement for the new dwellings. Notwithstanding the area of soft landscaping to the side of unit 2, the frontage of each dwelling would lack any substantive front garden, and would instead be dominated by parking spaces. This would undermine the sense of verdancy and space which help characterise the road. The arrangement would be at odds with neighbouring properties, which are mostly typified by spacious and open front gardens and driveways. In turn, the new dwellings would appear overly cramped and constrained within the wider street context, which would detract from its open quality. This impact would be especially acute, given the prominent corner location of the appeal property.
8. I acknowledge that the siting of the new dwellings would adhere to the staggered building line along this section of the road, and would therefore be in-keeping in this regard. The new dwellings would also achieve a high-quality design, incorporating design features which echo the architectural style of other properties along the road. Nonetheless, these are neutral factors, and not benefits which would weigh in favour of the proposal.
9. 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 reflect and enhance the local pattern of development in terms of layout, siting and scale. It would 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. The development would also contravene Policy PP1 of the Local Plan, given the conflict with these other development plan policies. Whilst not determinative in this instance, I find no conflict with Policy PP2 of the Local Plan, which sets out the broad spatial strategy for the Council's area.

Other Matters

10. 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.

11. 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.
12. 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.
13. Whilst plot sub-division is not uncommon in the 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 narrow frontage and constrained character of the newly created dwellings, which would jar with the wider and more open plots of neighbouring properties. The open corner location of the appeal site would also exacerbate the impact of the development, given its prominence within the street scene. Whilst each case must be determined on its own merits, on account of these factors, the examples of plot subdivision cited by the appellant are not directly comparable to the case in hand.

Conclusion

14. 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