



Appeal Decision

Site visit made on 7 February 2023

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th March 2023

Appeal Ref: APP/V1260/W/22/3297541

100 Magna Road, Poole BH11 9NB

- 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 Tim Gosling against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref APP/21/00483/F, dated 24 March 2021, was refused by notice dated 5 November 2021.
 - The development proposed is described as segregate plot and construct 3-bed chalet bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Character and Appearance

3. The appeal property is in a row of dwellings that front a main road at the edge of the settlement. The properties in this area vary in type and appearance, however they are unified by their distinct plot form, with dwellings set well back from the road, with good-sized gardens to the rear. This spacious linear pattern of development provides a sense of coherency which positively contributes to the character of the area.
4. The existing rear garden of the appeal property is a generous size. However, this proposal would subdivide the rear garden. The proposal would also result in a sizeable built form being positioned to the rear of the existing dwelling at No 100. With this configuration, unlike surrounding properties, the new dwelling would have limited street frontage and a small garden to the rear. In this respect, the proposal would introduce an uncharacteristic plot layout that would substantially alter the existing spacious plot of the appeal property. In turn this would significantly and harmfully disrupt the locally distinct linear pattern of development along this part of Magna Road. In this regard, the proposal would not preserve the prevailing character of the area.
5. The appeal property is currently bounded by open fields at its rear. The appellant has drawn my attention to an approved outline scheme for an urban extension of residential development which will be developed at the rear of the appeal property. The reserved matters related to the outline permission are yet

to be approved. Be this as it may, this currently undeveloped land will be considerably altered by the development of several residential units and community facilities.

6. The extract of the latest submission related to the outline permission shows that that major development would enclose the deep plots of the existing properties on this section of Magna Road, and this includes the appeal property. However, while the outlook for these existing properties will change, with the exception of the demolition of No 94, the evidence presented does not indicate that the urban extension will change the existing spacious linear pattern of development that fronts this part of Magna Road.
7. Mindful that the details of the permitted urban extension are not yet approved, the evidence suggests that dwellings in that development are likely to have smaller gardens, and the grain of that development is likely to be slightly tighter than the existing residential development on Magna Road, in the vicinity of the appeal property. This aside, the new dwellings of the urban extension are shown addressing newly formed streets in that development. Even if this was not the case, the new dwelling, subject of this appeal, would have a single access onto Magna Road and would be separated from the urban extension by a rear boundary treatment.
8. In that context, positioned between the existing and approved built forms, the new dwelling would not only disrupt the existing pattern of development on Magna Road, but it would not appear an integral part of the urban extension. In this regard, it would relate poorly to the existing surrounding development and the approved development to its rear. Therefore, even if I was to accept that the spaciousness on this part of Magna Road was no longer an important feature for the transition to the surrounding countryside, this would not justify a development which would, in a changing context, fail to harmonise with the development pattern of the wider area.
9. In light of the above, I find that the proposal would have a harmful effect on the character and appearance of the area. In this regard it would conflict with Policies PP27 and PP28 of the Poole Local Plan. These collectively state that a good standard of design is required in all new development, and proposals involving plot sub-divisions will only be permitted where there is sufficient land to enable development to be accommodated in a manner which would preserve or enhance the area's residential character.

Other Matters

10. The appeal property is within the zone of influence of the protected habitat areas of Dorset Heathland and Poole Harbour. Natural England advises that additional residential development in this area is likely to have a significant adverse effect on the protected habitats either alone or in combination with other proposals. Policies PP32 and PP39 of the Local Plan address this matter. I note the appellant's comment regarding financial contributions. However, as I am dismissing this appeal on other grounds there is no need to consider this matter further in this case.
11. The Council concluded that the proposal would not have a detrimental impact on residents' living conditions. Also, it did not raise concerns about car parking and cycle storage, subject to conditions. However, this should be an expectation of development and are neutral factors in this case.

12. The appellant has drawn my attention to aspects of the proposal not considered to be in conflict with Local Plan policy. Nevertheless, I have identified harm to the character of the area, and, in this respect, the proposal would conflict with the Local Plan when read as a whole. Moreover, the evidence before me indicates that the Council has been consistent in its reference to relevant Local Plan policies when substantiating this reason for refusal. Therefore, this matter has not altered my findings in this appeal.
13. The Council is unable to demonstrate a 5 year supply in housing land. Therefore, provisions set out in Paragraph 11 of the Framework are relevant in this case. The proposed dwelling would bring one three bedroom, family sized home to the housing market in the area. This would support the Government's objective of significantly boosting the supply of homes and would add to the mix of houses in the area. The proposal would be a small windfall site in a built-up area, close to services and modes of transport other than the car. There would be local economic benefits through the construction phase and when the new dwelling is occupied. The new dwelling would also incorporate energy saving measures and this would be beneficial to the environment. These matters weigh in favour of the proposal; however, these benefits would be limited given the scale of the development.
14. The Framework states that good design is a key aspect of sustainable development and states at Paragraph 134, that development that is not well designed should be refused. In respect of the efficient use of land, the Framework requires account is taken of the desirability of maintaining an area's prevailing character. As outlined above I have found that this proposal would not be a good design and would be harmful to the area's character.
15. I have identified significant harm to the character and appearance of the area in this case and this would significantly and demonstrably outweigh the limited benefits of the proposal when assessed against the policies in the Framework taken as a whole.

Conclusion

16. Material considerations, including the Framework, do not indicate that the proposal should be determined other than in accordance with the development plan and the appeal is dismissed.

A J Sutton

INSPECTOR