



Appeal Decision

Site visit made on 28 September 2023

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2023

Appeal Ref: APP/V1260/W/23/3316729

367 Blandford Road, Poole BH15 4JL

- 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 DR Property Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref APP/22/01174/F, dated 17 August 2022, was refused by notice dated 28 November 2022.
 - The development proposed is Demolition of existing dwelling, erect a terrace of 4 dwellings and 2 bungalows with associated parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council have cited the lack of existing elevations in its first reason for refusal. The appellant has submitted both plans and elevations of the existing dwelling with the appeal. Therefore, the Council and any interested parties have had the opportunity to comment. I do not consider that any parties would be prejudiced if I take these drawings in to account in my decision.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the area, and ii) Sites of Special Scientific Interest (SSSI) and protected European Sites

Reasons

Character and Appearance

4. No 367 Blandford Road currently consists of a large, detached property, situated in a sizeable plot, which sits slightly elevated above Blandford Road. I note that the character of the built form in the wider area is varied, including the 3 storey flatted blocks opposite. However, the immediate plots are characterised by either detached bungalows or 2 storey dwellings set back from the front of the plots, accessed off Blandford Road and in a single tier depth, with the plots running through to the unnamed lane to the rear. The immediate area also has slightly more spacious plot sizes, albeit it is noted that 363 and 363a Blandford Road are slightly narrower.
5. The unnamed lane to the rear is also backed on to by the bungalows along Upwey Avenue which lies to the west. There are a number of garages and outbuildings, associated with the dwellings of both Blandford Road and Upwey Avenue, which are accessed via the lane. Despite the siting of these

outbuildings, due to their modest height and ancillary use to the main dwellings, they sit relatively discreetly along the lane.

6. Therefore, whilst there might not be a prevailing character to the built form and layout of the dwellings in the area, the appeal site due to its spacious plot size and single tier depth contributes positively to the character and appearance of the area and provides a sense of openness in an otherwise built up area.
7. The subdivision of the plot in order to accommodate the 2 bungalows to the rear would result in a layout of development that would fail to preserve or enhance the character and appearance of the area. The severance of the plot would result in a cramped, back land development, which would appear as contrived in the immediate area, eroding the sense of spaciousness the site currently offers. Furthermore, the plot sizes of the development would be uncharacteristically small for the immediate area. Whilst the smaller plot size would not be particularly apparent from Blandford Road, the lack of visibility from a particular public view does not outweigh the harm I have identified above. Due to the scale of the bungalows, and their use as independent dwellings, they would not be comparable to the existing outbuildings which lie off the lane to the rear. Therefore, the proposal would not reflect the local pattern of neighbouring buildings in terms of layout and siting.
8. My attention has been drawn to an appeal decision at 12 Lake Road¹, which is in the wider context of the appeal site. The appeal was allowed for a new bungalow to the rear of No 12. The Inspector described the surrounding area to No 12 as having 'a variety of building styles and layouts' and that 'there is no prevailing pattern to the development nearby'. However, I have not been provided with full details of this approval in order to be able to draw a direct comparison with the scheme before me and the circumstances of each proposal are likely to be different. This is especially so as I note that the bungalow at No 12 replaced a 'large, detached garage with a high pitched roof' which is a notable difference to the appeal proposal. In any event, the fact that similar development exists in the area is not a reason, on its own, to allow unacceptable development in the above context. I have considered this appeal on its own merits and concluded that it would cause harm.
9. I accept the appellant's argument that the amount of hardstanding would be appropriate to the area and that the external amenity space would be acceptable. I also note the lack of any heritage or landscape designations. However, the acceptability of the hardstanding and external amenity space and the lack of any designations does not outweigh the harm I have identified.
10. The appeal scheme would therefore cause harm to the character and appearance of the area. It would conflict with Policies PP27 and PP28 of the Poole Local Plan (adopted November 2018) which, in combination, seek to ensure that development reflects local patterns of development and neighbouring buildings in terms of the layout and siting, including building line and site coverage. Residential proposals involving plot severances or plot subdivisions will only be permitted where there is sufficient land to enable a type, scale and layout of development including parking and usable amenity space to be accommodated in a manner which would preserve or enhance the area's residential character.

¹ APP/Q1255/A/14/2225587

SSSI and European Sites

11. The appeal site lies within 5km of the internationally protected Dorset Heathland SSSI, which is also part of the designated Dorset Heathlands Special Protection Area (SPA) and Ramsar Site, and also the Dorset Heaths Special Area of Conservation (SAC). It is also within close proximity to Poole Harbour, which is a SPA, SSSI and Ramsar Site.
12. The appellant has provided a Unilateral Undertaking (UU) as part of the appeal. This secures a financial contribution towards the Strategic Access Management and Monitoring (SAMM), as sought by the Council. However, given my conclusion on the first main issue, it is not necessary or appropriate for me to carry out an Appropriate Assessment as required under The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations). I do not need to consider the matter any further.

Planning Balance and Conclusion

13. The Council is currently unable to demonstrate a five-year housing land supply. In regard to the specifics of the proposal, this takes me to the circumstances of paragraph 11 d) ii) of the National Planning Policy Framework 2023 (the Framework) and where the most important policies would be out of date. I am then required to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
14. The proposed development would give rise to harm in regard to the character and appearance of the area. As such it would be contrary to the aims of the Framework, specifically where it recognises that planning decisions should ensure that developments are sympathetic to local character, including the surrounding built environment. The harm would be significant and long lasting and would attract substantial weight.
15. The proposal would contribute towards the housing undersupply, as well as having a potential beneficial impact for the local economy. These benefits carry modest weight in favour of the development. The fact that the appeal site would be well served by public transport, and the proximity to Poole Town Centre would be a lack of harm in reducing the need to travel rather than a benefit.
16. With the above in mind, it is sufficiently clear that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Consequently, the appeal scheme would not benefit from the presumption in favour of sustainable development.
17. Therefore, in conclusion, I have identified that there would be conflict with the development plan as a whole, as the proposal would be contrary to the relevant policies in relation to the character and appearance of the area. Considered in total, the material considerations referred to above do not outweigh the conflict with the development plan. The appeal is dismissed.

Laura Cuthbert

INSPECTOR