



Appeal Decision

Site visit made on 20 February 2024

by K Jones BA (Hons) DipLA CMLI

an Inspector appointed by the Secretary of State

Decision date: 05 March 2024

Appeal Ref: APP/V1260/W/23/3329062

7 Hilda Road, Poole, Dorset BH12 2HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Anthony DeHavilland of Barook Developments Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref APP/23/00019/P, dated 6 January 2023, was refused by notice dated 8 August 2023.
 - The development proposed is demolish existing chalet bungalow and erect a pair of chalet bungalows.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the address of the appeal site from the appellant's appeal form, which removes the potentially confusing reference to the Council area given on the planning application form.
3. The application was made in outline with matters of access, appearance, layout, and scale for consideration, and landscaping reserved for future determination. I have dealt with the appeal on the same basis.
4. Since the appeal was lodged a revised National Planning Policy Framework (the Framework) has been published. The amendments do not materially affect the parts of the Framework relevant to this appeal and so it is unnecessary to seek the parties' comments on the revisions.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

6. Hilda Road is a residential cul-de-sac mainly comprising of modest detached bungalows. The character of the road is broadly split in two, with properties on the north-western side typically displaying simple pitched roofs with side gables, and those on the south-eastern side (including the appeal building) with hipped roofs. Properties on the south-eastern side of the road have a regular plot pattern with a consistent set back behind small front gardens and repeated large bay windows. There is also a consistent materials palette of red or brown roof tiles and predominantly pale rendered elevations.

7. While not designated as part of a wider Conservation Area or other area of special character, Hilda Road has a fairly uniform pattern of development that is distinctive and attractive.
8. The existing large roof extension to No 7 Hilda Road (No 7) is prominent and uncharacteristic of the area. However, the underlying form of the bungalow, and its roof pitch, eaves, materials, and characteristic bay windows remain readily apparent. Therefore, despite the distraction of the roof addition, the existing dwelling makes a moderately positive contribution to the street scene.
9. The proposed dwellings would introduce a semi-detached pair of bungalows where there is currently a single dwelling. This would interrupt the plot pattern and regular spacing of dwellings on this side of the road. Moreover, the additional width of built form to accommodate two dwellings within the plot, and the need to provide two separate off-street parking spaces would result in a cramped and unusual layout and frontage.
10. The proposed roof would also significantly conflict with the prevailing roof forms in terms of shape, massing, pitch, materials, and dormer detailing. Additionally, the proposal would fail to reflect the regular pattern of large bay windows, instead creating a single gabled projection on the frontage. Together, these details result in a development which would significantly detract from the regularity of the street scene. Despite broadly maintaining the overall ridge height and eaves level of the property, the proposal would be an unduly prominent and incongruous feature.
11. For these reasons, I conclude that the development would unacceptably harm the character and appearance of the area. This would conflict with policies PP27 and PP28 of the Poole Local Plan (2018) (LP). Taken together, these policies require, amongst other matters, development to preserve or enhance the area's residential character, reflecting local patterns in terms of layout, massing, materials and detailing.

Other Considerations and Planning Balance

12. In its officer report, the Council accepts that it cannot currently demonstrate a 5-year housing land supply, and so paragraph 11d) of the Framework is engaged. The evidence does not indicate that areas or assets of particular importance¹ provide a clear reason for refusing the development, and the proposal therefore falls to be considered under paragraph 11(d)(ii). This sets out that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
13. I note the comments regarding the structural integrity of the property, and there seems to be no dispute that No 7 would benefit from refurbishment. However, there is little substantive evidence to demonstrate that this proposal would be the only solution to the structural problems of the building. This claimed benefit therefore carries limited weight in favour of the appeal.
14. I note that the Council does not raise concerns in respect of other issues including parking provision, internal space standards, and neighbouring living conditions. However, the absence of harm in these matters is neutral in the planning balance and does not alter my overall conclusion.

¹ See footnote 7 of the Framework

15. In the context of the Government objective to significantly boost the supply of homes, a net increase of a single dwelling on a windfall site would make a small contribution towards the provision of housing in the area. The scheme would also make a more effective use of the site by increasing the number of units. There would likely be some short-term employment opportunities and economic benefits during the construction phase, and future residents would support nearby services and facilities. I note that the dwellings would also be wheelchair accessible. However, given the modest quantum of development, I afford these benefits limited weight.
16. Meanwhile, the proposal would result in an incongruous form of development, failing to create a high quality and well-designed building that is sympathetic to local character. The adverse impacts of the development resulting from the harm to the character and appearance of the area would significantly and demonstrably outweigh the limited benefits of the proposal when considered against the policies of the Framework as a whole. As a result, the presumption in favour of sustainable development does not apply.

Other Matter

17. The appeal site is located within 5km of the Dorset Heathlands, containing several international designations including the Dorset Heaths Special Area of Conservation (SAC) and the Dorset Heathlands Special Protection Area (SPA). The Heathlands host protected priority habitats, and species including Dartford warblers, nightjars, sand lizards and smooth snakes, as well as other typical species of lowland heathland, wetlands and dunes. The appeal site also lies within the Poole Harbour Recreation Zone, identified around the Poole Harbour SPA and Ramsar Site. The harbour is designated to protect internationally important populations of regularly occurring and migratory species of birds and waterfowl, along with their supporting habitats.
18. In accordance with LP Policy PP32, without appropriate mitigation, residential development within these areas may generate recreational activity that could have adverse impacts on the integrity of the protected sites. Residential development could also contribute to nutrient pollution in Poole Harbour. The parties do not dispute that these effects could potentially be mitigated by measures provided by the Council using financial contributions secured by way of a legal undertaking, the details of which have been submitted with the appeal. However, as I am dismissing this appeal on other grounds, this is not a matter which needs to be considered further as, even if I were to find that mitigation was necessary, secured and delivered, this would constitute a neutral matter and would have no bearing on my decision.

Conclusion

19. For the reasons given above, I find that the proposal would conflict with the development plan when read as a whole. Material considerations, including the provisions of the Framework, do not indicate that a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

K Jones

INSPECTOR