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# Appeal Decision

Site visit made on 23 January 2024

**by K Reeves BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15 March 2024**

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**Appeal Ref: APP/V1260/W/23/3326016**

**93 Sopwith Crescent, Poole BH21 1SW**

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs E Crook against the decision of Bournemouth Christchurch and Poole Council.
  - The application Ref is APP/23/00495/F.
  - The development proposed is to sever land and erect a detached 2 bedroom bungalow with off road car parking.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The description of development in the banner heading above is taken from the application form, except where I have deleted the reference to the application being a revised scheme as this does not relate to an act of development.
3. A revised National Planning Policy Framework (the Framework) was published on 19 December and updated on 20 December 2023. An opportunity was provided to the main parties to make further written comment over these changes. This decision is based on the current Framework and has taken account of the further representations made on this.

## Main Issues

4. The main issues are:
  - the effect of the proposed development on the character and appearance of the area; and
  - whether the proposal would provide acceptable living conditions for future occupants of the proposed dwelling, with regard to privacy and light.

## Reasons

### *Character and appearance*

5. The appeal site comprises part of the garden of 93 Sopwith Crescent. No. 93 is a two-storey detached dwelling. Sopwith Crescent, in the vicinity of the site, has a clear and distinct separation of house styles on either side of the road. On one side of the road are two cul-de-sacs surrounded by two-storey

dwelling set within large plots. On the opposite side of the road are bungalows.

6. The proposed development would introduce a detached bungalow amongst the two-storey dwellings. As such, it would result in a noticeable interruption in the consistent building form on that side of the road. Furthermore, the two-storey dwellings face directly into their respective cul-de-sacs. The proposed dwelling would not follow this consistent pattern of development. The plot for the proposed dwelling would significantly reduce the rear garden of No. 93, which currently positively contributes to the spacious character of residential development on that side of the road. The development would result in two substantially smaller plots that would be incongruent with the size and layout of the plots around the two cul-de-sacs. The combination of these adverse impacts means that the development would undermine the character and appearance of the area.
7. I have been referred to an application approved by the Council for the erection of a bungalow at 325 Sopwith Crescent<sup>1</sup>. However, No. 325 is a bungalow that is set within a small group of other bungalows with smaller narrow gardens. As such, that development is materially different to the appeal proposal and not directly comparable. In any event, that development does not justify the harm caused by the appeal proposal and I am considering the appeal on its own individual merits.
8. For these reasons, I find that the proposed development would have an unacceptably harmful effect on the character and appearance of the area. Consequently, the proposal would conflict with Policies PP27 and PP28 of the Poole Local Plan (November 2018) (LP), insofar as they seek for development to reflect or enhance local patterns of development and neighbouring buildings and, in terms of plot severance, there to be sufficient land to enable a type, scale and layout of development which would preserve or enhance the area's residential character. Furthermore, it would also conflict with the Framework, insofar as it seeks for development to be visually attractive as a result of good layout and sympathetic to local character.

#### *Living conditions*

9. The proposed dwelling would be constructed in the centre of its plot, with off road parking spaces to the front and a garden formed at the rear. The form and height of the dwelling and its orientation in relation to the position of the garden would allow sufficient natural light to enter the outdoor space. Furthermore, the boundary fences would create minimal overshadowing that would not be materially harmful. The erection of a two metres high fence to separate the site from the remaining plot of No. 93 and the distance of the site from that dwelling would result in private spaces within the garden that would not be compromised in terms of privacy.
10. For these reasons, I find that the proposal would provide acceptable living conditions for future occupants of the proposed dwelling. Consequently, the proposal would comply with Policies PP27 and PP28 of the LP, insofar as they seek the provision of satisfactory external amenity space for new occupiers and, in terms of plot severance, usable amenity space to be accommodated.

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<sup>1</sup> Application reference APP/15/00007/F

Furthermore, the proposal would not conflict with the Framework, insofar as it seeks a high standard of amenity for future users of development.

### **Planning Balance**

11. The Council accepts that it cannot currently demonstrate a five-year housing land supply for the Poole area. In these circumstances, Paragraph 11(d) of the Framework states that permission should be granted 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.
12. I have identified conflict with Policies PP27 and PP28 of the LP. Both are consistent with the Framework insofar as it seeks to achieve visually attractive development as a result of good layout and development that is sympathetic to local character, including the surrounding built environment. Accordingly, I apportion considerable weight to the policy conflicts and associated harm that would be caused as a result of the harm to the character and appearance of the area.
13. Turning to the proposal's benefits, it would make the contribution of one dwelling towards the housing stock in the district. However, even whilst acknowledging the seemingly fluctuating nature of the housing supply situation in the district and the Council's historically poor housing delivery record, one additional unit would not make a noticeable difference to the housing supply situation and is a benefit that attracts moderate weight. There would also be associated social and economic benefits through providing support to the local economy (including during the construction phase) and local community facilities. However, such contributions would be limited given the small-scale nature of the development under consideration.
14. Consequently, I find that the adverse impacts of the scheme arising from the harm to the character and appearance of the area would significantly and demonstrably outweigh the scheme's benefits when assessed against the policies of the Framework as a whole.

### **Conclusion**

15. For the reasons given above, the proposed development would conflict with the development plan, when taken as a whole. It would also conflict with the Framework and other material considerations do not indicate that I should take a decision otherwise than in accordance with the development plan. Accordingly, I conclude that the appeal should be dismissed.

*K. Reeves*

INSPECTOR