



Appeal Decision

Site visit made on 24 September 2024

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 October 2024

Appeal Ref: APP/D1265/W/24/3338434

21 Gorse Road, Corfe Mullen, Dorset BH21 3SJ

- 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 M Hurst against the decision of Dorset Council.
 - The application Ref is P/FUL/2023/02389.
 - The development proposed is to sever land, demolish outbuildings and erect 1 No 3 bed chalet bungalow with parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal included a Surface Water Drainage Report¹, together with a Proposed Drainage Layout (Drawing No. C2937-P-101 Rev P). The Council confirmed that the proposals were acceptable, and suggested that, if the appeal were allowed, a suitably worded planning condition should be imposed to ensure development was carried out in accordance with the proposed drainage strategy. Consequently, reason for refusal numbered 2 on the decision notice has been overcome.

Main Issues

3. In view of the above, the main issues are:
 - a) The effect of the development on the character and appearance of the area; and,
 - b) Whether the development would provide suitable living conditions for future occupants of the existing and proposed dwellings with regard to external amenity space.

Reasons

Character and appearance

4. The appeal site lies at the end of a long residential cul de sac. The dwellings on either side are set back from the road behind front gardens that are generally enclosed by low walls or hedges. The gardens accommodate driveways and off-street car-parking areas, but they are large enough to also incorporate significant levels of landscaping, so parked vehicles do not predominate in the street scene. This balance of buildings, hard surfacing and

¹ cgs civils Surface Water Drainage Report Reference C2937 Rev P dated 30 January 2023

planting gives the area a pleasant suburban character. The dwellings vary in design, but are nearly all single storey, with shallow roof slopes and low eaves. There is, therefore, a consistency to the scale, form, and layout of the dwellings, which results in a coherent appearance to the street scene.

5. The existing dwelling on the appeal site is somewhat anomalous within this context, as it has a steep pitched roof, with a large gable and first floor window facing the road. Nevertheless, its eaves height is single storey, and it is set well back from the road behind an enclosed front garden, so it does share some of the unifying characteristics of its surroundings.
6. The proposed dwelling would be built on what is currently the side garden of No 21, which borders open countryside to the south. Although the resultant plot would have a road frontage that is similar in width to others nearby, the site would taper, so that for much of its length it would be considerably narrower than is characteristic of the prevailing pattern of development. It would also not be as deep as most of the other plots in the cul de sac. Consequently, it would, overall, be noticeably smaller than the surrounding plots.
7. As a result of the limited dimensions of the plot, the proposed dwelling would be sited uncharacteristically close to the road frontage. I acknowledge that it would be in alignment with No 21, but it would not be set back in line with the curve of the road. Consequently, it would have a much smaller front garden than others in the row, with a much higher proportion taken up by the single car-parking space. It would, therefore, be unusually prominent in the street scene, with little scope for any meaningful planting to soften its presence, and assimilate it into the street scene.
8. The dwelling is described as a chalet bungalow, but in order to achieve the desired level of accommodation on such a restricted plot, the first-floor accommodation would be almost as extensive as the ground floor. To achieve this, the eaves height of the northern side of the building would be raised above single storey level, and a large flat-roofed dormer would take up much of the southerly roof slope. Together with the first-floor gable window facing the road, the dwelling would have a distinctly two-storey appearance, which would be incompatible with the generally consistent scale and form of the other dwellings in the cul de sac. This discordance would be emphasised by its closer proximity to the road than the surrounding buildings.
9. I am mindful that the appellant's evidence indicates that, as a proportion of the plot size, the proposed site coverage is similar to others in the locality. However, the other dwellings that are cited are low-level and set back from the road on larger plots, so sit comfortably within the established street scene. By contrast, the proposed dwelling would be on an unusually small plot, would have a two-storey appearance, and would be uncharacteristically close to the road. It would, therefore, look unduly cramped and would not be consistent with the established character and appearance of the area.
10. My attention is drawn to paragraph 135 of the National Planning Policy Framework (the Framework), which does not discourage appropriate innovation or change (such as increased densities). However, this is prefaced by a requirement that development is sympathetic to local character, including the surrounding built development. In this case, the proposal would not be

compatible with the prevailing pattern of development and would be incongruous in the street scene.

11. The appellant has highlighted five sites nearby, where plot severances have been approved. I looked at all of these during my visit, but they involved much larger plots, in locations where there was less consistency in the street scene. Consequently, they do not alter my conclusions on the scheme before me. I also looked at the dwelling at 33 Corfe View Road where permission has been granted for the conversion of a bungalow to a two-storey dwelling. The development was still under construction, but I saw that the site was tucked away off the main cul de sac, so the dwelling would only be seen in association with one other property, rather than as part of a wider street scene. As a result, it is not comparable with the appeal scheme.
12. For the reasons given above, I conclude that the development would be harmful to the character and appearance of the area. The proposal would, therefore, be contrary to Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy (2014) (the Core Strategy), which seeks to ensure that development is of a high quality that reflects local distinctiveness. It would also fail to meet the Framework's aim of achieving well-designed and beautiful places.

Living conditions

13. The proposed dwelling would have a level rear garden of about nine metres in depth and 91 square metres in area. It would, to some extent, be overshadowed by the high conifer hedge that grows just beyond the eastern boundary of the plot, and this impact would be increased by the proposed reduction in the garden level. However, the garden would be private, and it would have an open outlook to the south over open countryside, so it would be well lit, and would receive direct sunlight for much of the day. It would, therefore, provide a functional area for outdoor relaxation. The appellant's evidence demonstrates that it would be similar in area to some of the other rear gardens in the cul-de-sac. In the absence of any locally adopted standards on garden sizes, I conclude that it would adequately meet the needs of future occupants in quantum and quality.
14. The proposal would rob the host dwelling of a large part of its outdoor amenity space. The remaining large front garden is currently almost entirely hard surfaced, leaving two triangular areas of rear garden for private relaxation for the occupants. These spaces, totalling approximately 121 square metres in area, would be reduced in height so that they would be level with the ground floor accommodation. Although their shape, and the boundary hedge, would affect their function to some extent, the larger triangle would have a southerly aspect giving reasonable access to light and sunlight. The smaller area, although shaded by the house and the boundary hedge, would provide a secluded area where occupants could relax in privacy.
15. Again, in the absence of any adopted standards, I have no reason to conclude that the amount of outdoor space would be inadequate to meet the occupants' needs, and the quality and functionality of the space could be improved by reducing the overhang of the boundary hedge. Furthermore, the front garden area could be redesigned to reduce the amount of hard surfacing, and to provide additional useable outdoor space with some appropriate landscaping.

16. Overall, therefore, the development would provide sufficient external amenity space for the existing and proposed dwellings, so would allow suitable living conditions for future occupants in this regard. The proposal would, therefore, accord with Policy HE2 of the Core Strategy in this respect. It would also meet the Framework's aim to ensure that development provides a high standard of amenity for existing and future users.

Planning Balance

17. I have found that the proposal would conflict with a development plan policy that seeks to protect the character and appearance of the area. However, it is not disputed that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The most recent evidence indicates that the supply is 3.9 years, so the shortfall is significant. In these circumstances, Paragraph 11 d) of the Framework advises 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.
18. Paragraph 225 of the Framework makes it clear that due weight should be given to existing development plan policies according to their degree of consistency with the Framework. Section 12 of the Framework seeks to achieve well-designed and beautiful places. Paragraph 135 says developments should be visually attractive as a result of good architecture, and sympathetic to local character, including the surrounding built environment. I see no fundamental conflict between these aims and those of Policy HE2 of the Core Strategy. The conflict between the proposal and this development plan policy should, therefore, be given significant weight in this appeal.
19. Set against the harm that I have identified, there would be benefits associated with the development. It would support the Framework's objective of significantly boosting the supply of homes as set out at paragraph 60, and it would make a modest contribution towards addressing the shortfall in housing land supply. The site is in an accessible location, so would be an appropriate site for additional housing. Paragraph 70 of the Framework says great weight should be given to the benefits of using suitable sites within existing settlements for homes.
20. The proposal would also provide economic benefits through employment during the construction phase, and the ongoing spend of residents thereafter. However, the relatively modest scale of the development means that these benefits would be limited.
21. Paragraph 131 of the Framework says that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development. Furthermore paragraph 123 advises that the effective use of land in meeting the need for homes should also ensure the safeguarding and improvement of the environment. Consequently, when assessed against the policies in the Framework, taken as a whole, the benefits of the proposal are significantly and demonstrably outweighed by the harm to the character and appearance of the area. The advice at paragraph 11 d) does not, therefore, indicate that my decision should be otherwise than in accordance with the development plan.

Conclusion

22. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR