



Appeal Decision

Site visit made on 4 March 2025

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 March 2025

Appeal Ref: APP/V1260/W/24/3348932

80 Allens Road, Poole BH16 5BX

- 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 C Chaffey against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is APP/24/00261/F.
 - The development proposed is to sever the garden to the rear of 80 Allens Road and construct a 2 bedroom bungalow, demolition of the existing side garage to facilitate access. To include parking and turning area, gardens, bin and cycle store.
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Decision

1. The appeal is allowed and planning permission is granted to sever the garden to the rear of 80 Allens Road and construct a 2 bedroom bungalow, demolition of the existing side garage to facilitate access. To include parking and turning area, gardens, bin and cycle store at 80 Allens Road, Poole BH16 5BX in accordance with the terms of the application, Ref APP/24/00261/F, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council's second and third reasons for refusal were based on harm to the Dorset Heathlands Special Protection Area (SPA), the Dorset Heaths Special Area of Conservation, and the Poole Harbour SPA. The Council's decision notice indicates that these reasons could have been overcome by financial contributions towards measures of mitigation. During the appeal, the appellant submitted a Unilateral Undertaking dated 27 October 2024, under Section 106 of the Town and Country Planning Act 1990 (the UU), which secures financial contributions towards such measures. The Council has approved the UU, so I am satisfied that the second and third reasons for refusal have been overcome.

Main Issue

3. Therefore, the main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site lies in an established residential area with dwellings to either side of the road set back behind enclosed front gardens. On the eastern side, there is a long unbroken row of regularly spaced, similarly designed, two-storey semi-detached houses that are set on a consistent building line and backed by a continuous belt of trees. There is, therefore, an orderly pattern of development and

a distinctive rhythm to the buildings on this side of the road. The appeal site lies on the other side, which comprises bungalows with a less uniform arrangement and more variety of design. The frontage on this side is also broken up by a series of spur roads, so that the street scene is somewhat disjointed, and lacks the cohesion of the eastern side.

5. 80 Allens Road is the central one of three bungalows which have long back gardens. This is not characteristic of the pattern of development in the immediate surroundings, where most gardens are more modest, and the bungalows are quite closely grouped. The combined space resulting from these three larger gardens is not particularly evident in the street scene, as garages fill the gaps between the bungalows. Furthermore, the roofs of the bungalows that front the perpendicular spur roads are visible beyond the frontage buildings to either side, and the two-storey buildings in Olivia Close are a prominent feature directly behind them. Consequently, there is no distinct sense of openness behind the three bungalows that contributes to the character of the area.
6. The proposed bungalow would have a low-pitched roof, and would be set well back from the frontage buildings. It would not, therefore, be prominent in the street scene. Indeed, it would only be readily evident in oblique views through the gaps to either side of No 80. When seen between Nos 80 and 82 the side wall of the proposed bungalow would align with the rear wall of the terrace of houses in Olivia Close beyond, and with the side wall of No 80 in front. As a result, the building would appear as a visual progression between the two. The bungalow would only be partially seen in the gap between Nos 78 and 80, and would be closely associated with the two-storey building in Olivia Close to the rear. In all views it would be seen in the context of the roofs of the similar bungalows that front the spur roads, and sit behind the line of the frontage buildings. Consequently, it would not appear inconsistent with the prevailing layout of buildings.
7. Access to the bungalow would be achieved via demolition of the existing garage and an extension of the driveway that runs to the side of the house. This would involve additional hard surfacing to the rear of the existing building, but, as the entire front garden and side drive are already hard surfaced, the additional area would be relatively minor. Furthermore, the extended driveway would only be readily visible from a small part of the road directly in front of the access point, whilst the parking area for the new bungalow would be hidden behind the frontage building and the proposed boundary fence. Consequently, the overall extent of hard surfacing would not be readily evident from public viewpoints, so would not harm the character of the area.
8. The existing and proposed dwellings would both have private rear gardens. Whilst these would be smaller than most of those in the surrounding area, it is not disputed that they would be of sufficient size to provide a satisfactory level of outdoor amenity space for occupants. The size and layout of the gardens would not be easily discernible from public viewpoints, so would not result in any noticeable discordance with the surrounding residential layout.
9. I acknowledge that the proposal constitutes the development of a rear garden in a tandem formation that can sometimes be harmful to the residential character of an area, where there is a distinctive pattern of development. However, in this case, long rear gardens are not a distinctive feature, and there is no discernible sense of space behind the frontage dwellings. Furthermore, the proposed bungalow would

be seen in the context of other similar buildings that are set behind the building line, so it would not appear as an incongruous intrusion behind a cohesive line of frontage development.

10. For the reasons given above, I conclude that the development would not harm the character and appearance of the area. The proposal would, therefore, accord with Policies PP27 and PP28 of the Poole Local Plan (November 2018), which seek to ensure that development reflects or enhances local patterns of development, and preserves or enhances the area's residential character.

Conditions

11. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty.
12. The appellant has suggested a condition requiring that details of the materials to be used in the construction of the bungalow must be submitted for approval. I agree that this would be necessary to protect the character and appearance of the area.
13. Concern has been raised in a representation regarding the impact of the proposal on displacing surface water from the site to other properties. The Council's delegated report indicates that this issue would have been dealt with by the imposition of a planning condition if the application had been approved. I agree that a suitable scheme for the provision of surface water drainage disposal would ensure that there would be no off-site flooding impact, so have imposed a condition requiring details to be submitted for approval, and implemented thereafter.
14. The Council has not provided a list of conditions to cover any other matters and I do not consider any to be necessary.

Conclusion

15. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos ASP.23.061.001 - Block and Location Plan; ASP.23.061.002 - Proposed Site Plan; ASP.23.061.100 - Proposed Plans; ASP/23/061.200 - Proposed Elevations; ASP.23.061.201 - Proposed Context Elevations; ASP.23.061.202 - Proposed Cycle Store.

- 3) No development above ground level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the bungalow hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.
- 4) No development above ground level shall take place until details of the means of disposal of surface water from the development have been submitted to and approved in writing by the local planning authority. The bungalow hereby permitted shall not be occupied until the drainage works have been completed in accordance with the approved details.

END OF SCHEDULE