



Appeal Decision

Site visit made on 10 June 2025

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2025

Appeal Ref: APP/V1260/W/24/3355118

72 Danecourt Road, Poole BH14 0PH

- 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 R Lewis against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is APP/24/00408/F.
 - The development proposed is described as “planning permission is sought for the severance of land and erection of a highly sustainable, carbon-neutral, two-bedroom detached single storey dwelling with associated access and landscaping (revised proposal) in a backland location in Parkstone, Poole. Please refer to the attached design and access statement for more details.”
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Within this part of Danecourt Road the street scene consists of large detached and semi-detached dwellings modestly set back from the road beyond front gardens/driveways with long gardens to the rear. Opposite the appeal site are large, detached apartment buildings. The appeal site forms part of a group of dwellings that front on to Danecourt Road, Chapel Road, Church Road and St Peters Road. With the exception of small-scale domestic outbuildings and associated paraphernalia, the rear gardens of these dwellings remain free from built form.
4. The appeal site is currently part of the generous rear garden of 72 Danecourt Road. Within it is a detached garage, which is positioned to the side elevation of the dwelling, but set well back from the road. The appeal proposal would sub-divide the garden of 72 Danecourt Road by installing a 1.8 metre stone wall. The garage would be demolished to provide access to the proposed dwelling along a shared driveway.
5. This location of the proposed dwelling, to the rear of No 72, its set back position from the road and lack of a street frontage would be at odds with the prevailing character of dwellings on Danecourt Road, which typically address the street behind front gardens and driveways. Also evident would be the contrasting scale of the proposal, being a single storey, flat roof dwelling, in an area that is predominantly characterised by two storey dwellings.

6. I have had regard to the planning permission for a large outbuilding. However, by introducing a separate domestic curtilage, its character and appearance would be that of a residential property. Its subsequent position, as a dwelling, so far from the street frontage would therefore appear ad-hoc and incongruous in this context.
7. The appellant cites other developments within the vicinity of the appeal site that have been permitted by the Council and at appeal. The circumstances of these cases do not appear to be entirely comparable with the appeal scheme, as they have examples of existing back land development in the immediate area. Whilst development has occurred to the rear of No's 39 and 41 Danecourt Road, this is in a different area of the road, some distance from the appeal site, and located in an area where there are a number of examples of back land development. In any event, I must assess the appeal proposal on its individual merits.
8. I therefore find the proposed development would harm the character and appearance of the area contrary to Policies PP27 and PP28 of the Poole Local Plan (2018) (LP) which seek to ensure that developments reflect or enhance local patterns of development.

Other Matters

9. In respect of the Dorset Heathlands Special Protection Area (SPA) and Ramsar, the Dorset Heaths Special Area of Conservation (SAC), and the Poole Harbour SPA and Site of Special Scientific Interest (SSSI), Habitats Regulation 63(1) states that a competent authority, before deciding to give permission, must make an appropriate assessment of the implications of the development of that site.
10. A Unilateral Undertaking has been submitted with the appeal and the Council confirm that this would address its second and third reasons for refusal relating to these protected sites. Although UU has been provided, it has not been signed or dated, meaning that it has not been properly executed as a deed. The Planning Practice Guidance¹ advises that a negatively worded condition limiting development that can take place until a planning obligation has been entered into is unlikely to be appropriate in the majority of cases. Consequently, there is no effective mechanism before me to secure the proposed mitigation. This greatly limits the weight which can be given to this matter in support of the proposal.
11. Given my reasoning in respect of the main issues and that the appeal is dismissed, there is therefore no requirement upon me in that regard and have not considered the matter further.
12. The Council cannot demonstrate the supply of housing sites required by the National Planning Policy Framework (the Framework). If this were to be the case, I am therefore taken to paragraph 11 of the Framework. The most important policies are deemed to be out of date. As the erection of a single dwelling, the proposal would make a very limited contribution to any housing undersupply. The scale of the scheme would accordingly limit its associated socio-economic benefits. Further I have identified that the UU has not been properly executed as such the mitigation contained within it has limited weight.
13. I have found that the proposal would have a harmful impact on the character and appearance of the area. I ascribe significant weight to this harm which would be

¹ Paragraph 21a-010-20190723

long lasting. Therefore, and in regard to the specific circumstances of this case, the adverse impacts of granting a planning permission would significantly and demonstrably outweigh the benefits.

Conclusion

14. For the reasons given above the appeal should be dismissed.

Tamsin Law

INSPECTOR

