



Appeal Decision

Site visit made on 15 July 2025

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal Ref: APP/V1260/W/24/3355941

Land rear of 41-43 Wheelers Lane, Poole BH11 9QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Mr Jonathan Baldwin of Merryfield Homes Ltd against the decision of Bournemouth Christchurch and Poole Council.
- The application Ref is APP/24/00785/P.
- The development proposed is construction of three bungalows with associated parking and landscaping with access from Wheelers Lane.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application is in outline with appearance, landscaping and layout reserved for future consideration. I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - The effect of the proposed development upon the character and appearance of the area;
 - The effect of the proposal upon the safe and efficient operation of the local highway network; and
 - The effect of the proposal upon the Dorset Heathlands Special Protection Area and Ramsar site and Dorset Heath Special Area of Conservation; Poole Harbour Special Protection Area and Site of Special Scientific Interest and Ramsar site.

Reasons

Character and appearance

4. Residential development along Wheelers Lane largely extends in a linear pattern along its eastern side comprising detached bungalows of different sizes and designs set within elongated plots with deep frontages and long rear gardens. 41 and 43 Wheelers Lane are two such properties with the appeal site forming part of their rear gardens. Most properties have distinguishable gaps between them and this combined with the deep frontages and long gardens positively contribute to the area giving it a sense of spaciousness.

5. I acknowledge that small scale bungalows would be characteristic of the local area. However, the proposed development would result in an uncharacteristic concentration of built form located to the rear of existing dwellings. The contribution that the garden areas make to local character would be eroded by the proposal. On account of the distance from the road the position of the dwellings would not accord with the established linear pattern of development on Wheelers Lane.
6. Whilst plot and rear garden sizes vary locally the tight arrangement of the built form would give the impression of a far less spacious and unduly cramped development. As such, it would not successfully integrate into the area undermining its spacious character and appearance. In coming to my decision, I have paid regard to the plot to built form ratios provided by the appellant. However, this does not alter my findings in respect of this matter.
7. The proposed development would be reasonably well screened from the public realm, with only glimpsed views likely through the access. While this would mitigate the visual impact to some extent, it does not justify a scheme that I have found to be harmful to the character of the area. Moreover, the cramped and incongruous nature of the development would still be discernible from the private views of neighbouring residents.
8. With regard to a potential development at Knighton Lodge, the layout is more comprehensive in terms of its formal road layout and position of dwellings fronting the road. The proposal before me would be seen in the context of the mainly uniform and spacious back gardens to the rear of the dwellings fronting Wheelers Lane. Thus, it is not directly comparable to the appeal scheme before me. In any event every application and appeal must be determined on its own merits, as I have done.
9. Therefore, the proposed development would adversely affect the character and appearance of the area contrary to Policies PP27 and PP28 of the Poole Local Plan (2018) (LP) which, amongst other things, seek a good standard of design that reflects or enhances local patterns of development including in terms of layout and siting and that the subdivision of plots respects and enhances local character.

Safe and efficient operation of the local highway network

10. Wheelers Lane is a no-through road that provides vehicular access for existing dwellings. It also serves as a pedestrian and cycle link between a new housing allocation to the north of Magna Road and Bearwood Primary and Nursery School and the open countryside of Cranford Heath to the south. It is evident that the Council places importance on this link.
11. Wheelers Lane narrows in places and for the most part is devoid of footpaths and is essentially a shared space for vehicles, pedestrians and cyclists. At the time of my site visit on a weekday morning during school drop off I observed all three groups of road users on the lane. However, there is reasonable forward visibility along the lane and vehicles travelling along it appeared to be doing so at low speeds cognisant of the prevailing road conditions and the presence of other road users including parents with young children and pushchairs.
12. The appellant's traffic survey indicates that up to 15 two-way peak hour vehicle movements take place on Wheelers Lane and predicts that the proposed

development would generate 1-2 two-way peak hour vehicle movements. It is also noted that the PM peak would not coincide with school pick up.

13. The National Planning Policy Framework (the Framework), at paragraph 116, states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe taking into account all reasonable future scenarios.
14. Taking into account the current movements along the lane and even factoring in increased usage from new housing allocations I am not persuaded that the additional vehicle movements along Wheelers Lane associated with the proposed development would be materially different compared to the current situation. Based on the evidence before me I cannot say that pedestrians and cyclists would be unduly inconvenienced or endangered by vehicle movements along the lane or indeed dissuaded from using it particularly during school drop off and pick up.
15. As such, the proposed development would not unacceptably affect the safe and efficient operation of the local highway network. It would therefore accord with LP Policy PP35 which, amongst other things, requires new development proposals to contribute positively to the retention and creation of safe, convenient pedestrian and cycling routes.

Impact upon the Dorset Heath SPA, Ramsar and SAC and Poole Harbour SPA and Ramsar

16. The appeal site lies within close proximity to the Dorset Heathlands SPA, Ramsar site, the Dorset Heaths SAC and the Poole Harbour SPA and Ramsar site.
17. The Dorset Heathlands are an extensive network of lowland heath recognised for their importance for nature conservation. Poole Harbour is a natural harbour which is inhabited by important bird species. As such, both Dorset Heathlands and Poole Harbour are recognised by the Conservation of Habitats and Species Regulations 2017 as areas of international importance.
18. The Council's third and fourth reason for refusal relate to the effect of the development upon the integrity of the SPA, Ramsar and SAC sites. However, as I have found harm in respect of character and appearance which is significant enough to dismiss the appeal there is no benefit in me pursuing this matter any further.

Other Matters

19. I acknowledge that the provision of two-bedroom units aligns with the need outlined within the Council's Strategic Housing Market Assessment. I also note that windfall housing is an important component of the area's supply.
20. There is no objection to the proposal in terms of living conditions, impact upon trees or parking and bicycle provision.
21. Whilst the Framework encourages the efficient use of land and development of under-utilised land it also recognises that good design is a key aspect of sustainable development. However, these factors individually or cumulatively do not lead me to reach a different conclusion that the appeal should be dismissed.

Planning Balance

22. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
23. The Framework is one such material consideration. Paragraph 11 d) states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
24. However, paragraph 195 of the Framework indicates that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. For the reasons set out above I have not reached such a conclusion and consequently paragraph 195 applies.

Conclusion

25. Whilst the tilted balance does not apply for the reasons set out above, even if it did, the harm of granting planning permission in respect of character and appearance would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
26. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR