
Appeal Decision

Site visit made on 1 October 2025

by **E Pickernell BSc MSC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 October 2025

Appeal Ref: APP/V1260/W/25/3365507
44 Portfield Road, Christchurch BH23 2AG

- 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 Shore Footing Ltd against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref is 8/24/0700/FUL.
 - The development proposed is a self-contained dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development in the banner heading above from the application form, however I have removed the surplus wording which does not relate to an act of development
3. I noted at my site visit that the proposed development has already been carried out. Planning permission was granted for “Alterations to extend the existing garage store to provide accommodation (ancillary to the existing house)”¹ in October 2021. The appellant confirms in their Statement of Case that the building which exists on site has a larger footprint than that which was approved by the Council. For the avoidance of doubt, I have considered the appeal on the basis of the submitted plans.
4. A revised plan was submitted with the appeal. The differences between the amended and original plans relate to an enlargement of the area included in the red line on the site plan. The procedural guide for planning appeals advises that the appeal process should not be used to evolve a scheme.
5. In this instance, having regard to the tests set out in the *Holborn Studios*² judgement I consider that the proposed amendment would result in a substantial difference to the proposal as the site area would be changed and would result in procedural unfairness as the revised scheme has not been consulted upon. I have therefore considered the appeal on the basis of the plans upon which the Council made its decision.

¹ 8/21/0809/HOU

² *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin)

Main Issues

6. The main issues are:

- the effect of the proposal on the character and appearance of the area; and
- the effect of the proposal on highway safety and the free flow of traffic with particular regard to the provision of parking.

Reasons

Character and appearance

7. The appeal site comprises land to the side and rear of the host dwelling, 44 Portfield Road. Most of the appeal site has been separated from the remainder of the plot by close boarded fencing, and a single storey L shaped structure has been erected which is being used as a dwelling.
8. Portfield Road is characterised by a variety of building types including terraced, semi-detached and detached houses and bungalows. However, despite this variety, the linear layout and relatively regular spacing of the buildings provides a degree of consistency and order which is a positive aspect of the area.
9. The proposed dwelling is located to the rear of the host dwelling in a back-land location. This is at odds with the layout and character of Portfield Road in which dwellings are generally positioned towards the front of plots, facing the road. Furthermore, the dwelling occupies a greater proportion of the plot than other dwellings in the area and is located very close to its boundaries with only a very small area of garden space available. This has resulted in a cramped form of development which represents an incongruous addition to the area which is not in keeping with its established character and pattern of development.
10. I recognise that planning permission was granted for an annex in this location. However, the permission was not for a dwelling, related to a smaller building than has been erected and the plans for the annex did not include the subdivision of the plot. As such the approved scheme is materially different to the proposal which is before me.
11. My attention has been drawn to other back-land developments near to the site. However, I do not have full details in respect of such works so I cannot be sure of the circumstances of such cases. In any case, I have determined the appeal on its own merits, based on the evidence before me.
12. I conclude that the proposal has a harmful effect on the character and appearance of the area. It therefore conflicts with Policy H12 of the Borough of Christchurch Local Plan (adopted March 2001) (LP) and Policy HE2 of the Christchurch and East Dorset Local Plan: Part 1 – Core Strategy (adopted April 2024) (CS). Together these seek to ensure that development proposals are of a high-quality design which is appropriate in character and scale to the locality and is compatible with its surroundings in terms of, amongst other things, layout, site coverage and scale.

Parking

13. The appeal site lies within the Council Parking Zone B (District Centres) as defined by the Parking Standards Supplementary Planning Document (Adopted 5 January 2021) (SPD). The parking standards do not require a parking space to be provided for a one-bedroom dwelling in Zone B but all other dwelling types are expected to provide one parking space.
14. As such, the host dwelling would require one space, but the appeal scheme would not require a space. The proposal would not provide any parking for the proposed dwelling and would result in the loss of the existing parking space as a result of the provision of pedestrian and cycle access. This part of the scheme has not yet been implemented and at the time of my site visit a car was parked on the drive.
15. The appellant acknowledges that the creation of the access would remove the existing parking space, leading to on-street parking displacement. The appeal site is near to a school and whilst there were some on street parking spaces available near to the site at my day-time site visit, parking pressure would be greater in the evening when residents return home from work and at school drop-off and pick-up times.
16. On-street parking availability is limited on Portfield Road, and many properties do not have an off-street parking space available. Consequently, it is likely that drivers who could not find a suitable parking space would park in unsuitable locations. I noted at my site visit that a number of cars were parked partially on the pavement in the vicinity of the appeal site, hindering the use of the pavement for pedestrians, wheelchair users and people using buggies.
17. The impact of one displaced vehicle would be relatively minor, however given the context of existing parking pressures in the locality, this would exacerbate existing issues and result in further inappropriate parking. This would have consequences for highway safety as pedestrians and drivers would have to navigate around poorly parked vehicles. They would also hinder the free flow of traffic and lead to frustration for all road users.
18. I conclude that the proposal would have a harmful effect on highway safety and the free flow of traffic with particular regard to the provision of parking. Consequently, the proposal would conflict with Policy KS12 of the CS which seeks to ensure that adequate vehicle and cycle parking facilities will be provided.

Planning Balance

19. The Framework does not change the statutory status of the development plan as the starting point for decision making. Paragraph 232 of the Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework.
20. The proposal conflicts with Policy H12 of the LP and would conflict with Policies HE2 and KS12 of the CS insofar as it has a harmful effect on the character and appearance of the area and would result in harm to highway safety and the free flow of traffic. These policies are consistent with the Framework which states 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 parking (amongst other things) is integral to the design of schemes and

contributes to making high quality spaces. Consequently, I attach significant weight to the conflict with these policies.

21. As there are no policies in the Local Plan which positively favour development of this kind in this location and as the proposal would be contrary to the policies referred to above, there would be a conflict with the development plan as a whole.
22. The Council consider that the proposal would be a holiday let and therefore not contribute to housing supply, however there is no evidence before me that the proposal would provide anything other than a self-contained dwelling. The provision of one dwelling would boost the general supply of housing. The Council is unable to demonstrate 5 years' worth of housing supply as required by the National Planning Policy Framework (the Framework) with supply said to stand at 2.1 years. In such circumstances paragraph 11d) of the Framework is relevant.
23. The proposal would result in one dwelling on a small site which makes efficient use of the land and is in a location with good access to services and facilities. It would make a small contribution to the Council's housing land supply, and I note the appellant seeks to provide housing to people in urgent need of housing. Overall, given the small scale of the scheme I give modest positive weight to the benefits of the proposal. Set against the identified benefits, the proposal results in significant harm to the character and appearance of the area and to highway safety. I give significant negative weight to these harms.
24. I therefore find that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for securing well-designed places. As a result, the presumption in favour of sustainable development does not apply.

Other Matters

25. In addition to the matters discussed above the Council also refused the application for reasons relating to the effect of the proposal upon European habitats sites including the Dorset Heathlands Special Protection Area, the Dorset Heaths Special Area of Conservation (SAC) and the River Avon SAC. In this instance, there is no need for me to undertake an Appropriate Assessment because I am dismissing the appeal for other reasons.

Conclusion

26. The proposal would conflict with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be determined other than in accordance with it. Therefore, the appeal is dismissed.

E Pickernell

INSPECTOR