



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: 22 October 2025

Appeal Ref: APP/V1260/W/25/3367218

15 Uppleby Road, Poole BH12 3DB

- 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 Valiant Homes Ltd against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref is P/25/00030/FUL.
 - The development proposed is sever land and erect 1 No 3 bedroom house with parking.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Valiant Homes Ltd against Bournemouth, Christchurch and Poole Council. This is the subject of a separate decision.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the area;
 - the effect of the development on the living conditions of the occupiers of 15 Uppleby Road (No. 15) in respect of privacy; and
 - whether the proposal would make adequate provision for external amenity space.

Reasons

Character and appearance

4. The appeal site comprises a terraced dwelling in a residential area which comprises a mix of detached, semi-detached, short terraces of dwellings and blocks of flats. There is significant variety in the types and designs of properties in the area, however the majority of development is laid out in a linear fashion facing the road with gardens to the rear. This gives the area a degree of consistency which is a positive feature of the area.
5. The appeal site is consistent with this character and, in common with adjacent dwellings, has a relatively long garden and adjoins a play area. As such the appeal site and its surroundings lend an attractive spaciousness to this part of Uppleby Road.

6. The proposed dwelling would be located to the rear of the host dwelling. Small gardens would be provided to the rear of each dwelling. Although some of the gardens on Uppleby Road are relatively modest, both garden areas would be significantly smaller than those in the more immediate context of the appeal site, resulting in a more cramped form of development than that which surrounds it.
7. Furthermore, the proposal would result in the incongruous presence of a building to the rear of the plot, which would not be part of a frontage row of buildings and would not face the street. As such, the proposal would be at odds with the prevailing pattern of development, and would result in a harmful impact upon the spacious character of the area.
8. Although the proposed building would be on lower land and would be partially screened by the host dwelling and nearby trees, it would nevertheless be visible from the play area and along the proposed driveway to the side of the host dwelling when viewed from Uppleby Road.
9. The appellant has drawn my attention to other instances where plots have been subdivided nearby. The plot at 22 – 24 Granville Road is significantly larger than the appeal site and the development comprises a group of dwellings set out in a linear layout. The approved dwelling at 55 Uppleby Road would be located at the rear of the host dwelling but would face the road to the rear, located in a gap between two existing dwellings. As such, these examples are materially different to the appeal scheme.
10. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the area. It would therefore conflict with Policies PP27 and PP28 of the Poole Local Plan (Adopted November 2018) (PLP) which together seek to ensure that a good standard of design is achieved in all new developments, including plot sub-divisions, which reflects or enhances local patterns of development and residential character in terms of layout and siting including building line and built site coverage.

Living conditions

11. The proposed dwelling would have fenestration on the east facing elevation comprising a dining room window and front door on the ground floor and a bedroom and bathroom window on the first floor.
12. The change in levels across the site and the proposed boundary treatment means that views towards No. 15 from the ground floor openings would be limited. However, despite the presence of an intervening tree, the first-floor windows would have clear views towards this property.
13. In particular, the proposed bedroom window would be in close proximity to the garden space of the host dwelling. Although not living space, the bedroom could nevertheless be occupied by residents at various points during the day. Given the modest size of the garden, overlooking from the bedroom window would result in a significant loss of privacy for the occupiers of no.15.
14. I conclude that the proposal would result in a harmful effect on the living conditions of the occupiers of No. 15 in respect of privacy. As such, it would conflict with Policies PP27 and PP28 of the PLP which together seek to ensure that

development proposals do not result in a harmful impact upon amenity for local residents in respect of privacy.

External amenity space

15. The majority of the amenity space for the proposed dwelling would be located to the west of the house. There are large trees on, and near to the site which would be a prominent feature when experienced from the proposed amenity space. At times the trees and the proposed dwelling itself would cast shadows within the proposed garden.
16. However, parts of the garden, in particular the area closest to the proposed dwelling would receive a good amount of light for a significant proportion of the day. Furthermore, given the distance between the proposed dwelling and the trees, they would not be excessively dominant or intimidating when using the garden. The amenity space would therefore be sufficient to fulfil the recreation requirements of future residents.
17. I conclude the proposal would make adequate provision for external amenity space. As such it would accord with Policies PP27 and PP28 of the PLP insofar as it would provide satisfactory and usable external amenity space for new occupiers.

Other Matters

18. 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 and Poole Harbour Special Protection Areas. In this instance, there is no need for me to undertake an Appropriate Assessment because I am dismissing the appeal for other reasons.

Planning Balance and Conclusion

19. The Council is unable to demonstrate a 5-year supply of deliverable housing sites as required by the National Planning Policy Framework (the Framework), with supply said to stand at 2.1 years. In such circumstances paragraph 11d) and footnote 8 of the Framework are relevant.
20. In this instance the benefits of the proposal include the provision of a good sized, flexible home in a location with good access to services and facilities. It would result in economic benefits associated with construction and local expenditure by future residents. Given the size of the scheme these benefits would be relatively minor in scale. Nevertheless, given the level of the shortfall in housing supply, I give the combined benefits of the proposal moderate weight.
21. I have concluded that the proposal would result in harm to the character and appearance of the area and to the living conditions of the occupiers of No 15. This harm would be significant and long-lasting. The proposal would therefore conflict with Policies PP27 and PP28 of the Framework. 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 decisions should create places with a high standard of amenity for existing and future occupiers. I therefore attach significant weight to the conflict with these policies.

22. Therefore, in this instance the adverse impacts of allowing the appeal would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.
23. The proposal conflicts with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, the appeal is dismissed.

E Pickernell

INSPECTOR