



Appeal Decision

Site visit made on 21 October 2025

by **P Burley BA (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 October 2025

Appeal Ref: APP/V1260/W/25/3367220

Land rear of 57 Cynthia Road adjacent to 15a Jacqueline Road, Poole BH12 3JQ

- 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 Velkoop against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is P/25/00524/FUL.
 - The development proposed is described as 'Sever plot and erect chalet bungalow adjacent to 15a Jacqueline Road (revised scheme)'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - highway safety; and
 - the effect of the appeal scheme on designated habitats sites.

Reasons

Highway Safety

3. Whilst the proposed dwellinghouse would not have any on-site car parking and parking would be prevented by the use of barriers, the absence of on-site parking is not an issue in contention. However, it would result in those driving to the site, whether they lived there or were visiting, parking on a nearby street and having to walk along an access road which is approximately 40m in length and which provides vehicular access to an existing dwelling.
4. The access road is 2.7m wide which compares with the Council's preference for access roads to have a minimum width of 3.25m to allow for vehicles to safely pass pedestrians / cyclists and, where the access is a shared vehicle access, for the first 6m to be 5m wide to allow for two vehicles to pass each other.
5. Whilst the access might work for the existing dwellinghouse, an increase in vehicular and non-vehicular movements associated with a second dwellinghouse, including unexpected or unpredictable movements associated with deliveries and dropping off / picking up, could give rise to conflict between vehicles as well as conflict between vehicles and other road users including pedestrians and cyclists.

6. Furthermore, given the length of the narrow access road and that the appellant does not have control of the land on either side – meaning that visibility cannot be controlled – it is possible that motorists will not be able to see who is on the access road until they have already entered it. This could necessitate performing a reverse manoeuvre in a situation with limited visibility.
7. The appellant's Transport Statement has referred to an appeal decision which allowed a backland development in Parkstone where the main issue was whether use of the access and driveway would be likely to result in increased danger to users of the highway, the access and the driveway. However, as well as that decision pre-dating the current local plan, I have not been provided with any further details, such as in relation to the dimensions of that access, to enable me to gauge any similarities between that site and the appeal scheme.
8. I conclude, therefore, that the proposal would not create a safe environment for pedestrians, especially for children and those with mobility issues, and would not meet the aims of delivering safe and sustainable development. Accordingly, the appeal scheme would conflict with Policies PP27 and PP35 of the Poole Local Plan (2018) (LP) which together seek to create an accessible, safe environment that considers the needs of all transport users, prioritises the needs of pedestrians and cyclists before private cars, and provides safe access.

Habitats

9. The appeal site is within the zone of influence (Zol) of the Dorset Heathlands Special Protection Area (SPA) and Ramsar site, and the Zol of Poole Harbour which is an SPA, Site of Special Scientific Interest (SSSI) and Ramsar site. LP Policy PP32 seeks to protect such sites from harm and, where necessary, seek mitigation against any adverse effect of development.
10. The creation of a new dwellinghouse within the Zol could result in increased recreational activity in the habitats sites, which in the heathlands can lead to an increase in wild fires, damaging recreational uses, the introduction of incompatible plants and animals, loss of vegetation and soil erosion and disturbance by humans and their pets amongst other factors, resulting in an adverse effect on the heathland ecology. Public access in and around the harbour, and various forms of recreational activities (including sailing along with walking, dogs and bait digging along the shoreline) can disturb the SPA birds in the harbour.
11. Therefore, I consider that there is a probability or risk that the appeal scheme, in combination with other plans or projects, could have a likely significant effect on the habitats sites as it would be likely to exacerbate existing recreational pressures. I am required to carry out an appropriate assessment, therefore. Where it cannot be concluded that there would be no adverse effects on a site's integrity, which is the case here due to increased disturbance to the qualifying features from recreational activity, it is necessary to consider potential mitigation.
12. The Council has, with the agreement of Natural England, established a strategic, district-wide approach to mitigating recreational pressures on the habitats sites which involves securing financial contributions for access management schemes and monitoring, and this is set out in the Council's Dorset Heathlands Supplementary Planning Document (SPD) (2020) and its Poole Harbour Recreation SPD (2020). I consider that this is an appropriate approach to mitigating identified harms.

13. The appellant has submitted a completed unilateral undertaking (UU) dated 17 September 2025 to provide Strategic Access Management and Monitoring contributions in line with the aforementioned SPDs to address the recreational impacts of the appeal scheme on the Dorset Heathlands SPA and Ramsar site and Poole Harbour SPA, SSSI and Ramsar site.
14. The Council has confirmed that the appellant's UU is satisfactory and I find that it would adequately mitigate the effects of the proposed development and so would remove all reasonable scientific doubt that it would have an adverse effect on the integrity of the habitats sites either alone or in combination with other plans and projects. Accordingly, it would address the Council's second and third reasons for refusing the appeal application and would mean that the appeal scheme would comply with the Habitats Regulations. It would also comply with LP Policy PP32 which relates to the mitigation of the impacts of development on international nature conservation sites and with LP Policy PP39 which relates to developer contributions.

Planning Balance and Conclusion

15. The Council has said that it does not have a five-year supply of housing land and for the purposes of paragraph 11 of the National Planning Policy Framework (the Framework), it is appropriate to regard relevant housing policies as out-of-date. However, the principle of housing development is not at issue in this appeal. Rather, the policies which are most important for determining this application – LP Policies PP27 and PP35 – relate to road safety and I do not find these to be out-of-date, including because they are consistent with the policies in the Framework. Consequently, this appeal should be determined in the context of paragraph 11 c) of the Framework.
16. Given the Council's housing land supply position, the delivery of a single dwellinghouse is a matter to which I attach significant positive weight. However, and bearing in mind the potential serious and enduring consequences of allowing an unsafe development, the appeal scheme's conflict with policies which seek to ensure safety is a matter to which I attach substantial negative weight. On that basis I conclude that the aforementioned benefit is outweighed by the potential harm arising from the unsatisfactory access arrangements, that the appeal scheme does not accord with the development plan when taken as a whole, that there are no material considerations which outweigh that conflict, and, therefore, that the appeal should be dismissed.

P Burley

INSPECTOR