



Appeal Decision

Site visit made on 7 October 2025

by **B Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 December 2025

Appeal Ref: APP/V1260/W/25/3360971

Glenlyn, Bramble Lane, Highcliffe, Christchurch BH23 5NB

- 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 Four Acre Homes against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 8/24/0752/FUL.
 - The development proposed is the division of existing Garden and construction of new dwelling.
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Decision

1. The appeal is allowed, and planning permission is granted for the division of existing Garden and construction of new dwelling at Glenlyn, Bramble Lane, Christchurch BH23 5NB in accordance with the terms of the application, Ref 8/24/0752/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. Since the appeal was lodged, the Council has produced a Position Statement [November 2025] for the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. In May 2025, Natural England (NE) advised the Council and Dorset Council of the need for mitigation to address the identified harm to the New Forest protected sites, resulting in the publishing of the Council's Position Statement. NE has identified that the site is within the zone of influence of the New Forest protected sites. As such, and despite this not forming a Reason for Refusal I shall consider the effect on the New Forest designation as a main issue.
3. Two S106 Legal Agreements in the form of Unilateral Undertakings (UU) have been submitted in support of the appeal. The first UU commits the appellants to the provision of financial contributions to provide the required mitigation towards the Dorset Heathlands SPA and Ramsar Site and the Dorset Heaths SAC. The second UU provides a financial contribution towards the New Forest Special Protection Area SAC. I shall return to these matters later.
4. The Council's first RfR refers to policy HWNP12 of the Highcliffe and Walkford Neighbourhood Plan [2021] (NP). However, there is no such policy in the NP. Instead, NP policy HWNP11 refers to the area's 'built character' and is relevant to the matters associated with the case which I shall therefore consider.
5. The appeal site is within the Bramble Lane Conservation Area (BLCA) wherein I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and

Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Main Issues

6. The main issues are:

- The effect of the proposed development on the character and appearance of the area, focussing upon its effect upon the significance of the relevant designated heritage asset;
- Whether the proposal would affect the integrity of the Dorset Heathlands SPA and Ramsar Site and the Dorset Heaths SAC;
- Whether the proposed development would affect the integrity of the River Avon SAC; and
- Whether the proposed development would affect the integrity of the New Forest SPA, SAC and Ramsar sites.

Reasons

Character and appearance

7. The appeal site is a corner plot adjacent to the junction of Chewton Common Road and Chewton Way. Bramble Lane runs parallel to Chewton Way, and this provides access to a number of properties. The area contains several woodland areas that place the site within an area with a strong verdant character. The existing dwelling on site is a semi-detached two-storey building, with white render and hipped roof. The site includes a tall hedge boundary, several perimeter trees and is bound by a block wall and wooden fence. Due to its enclosed nature, the site makes a neutral contribution to the character and appearance of the area.
8. The BLCA contains residential plots of various sizes and housing of diverse styles, of traditional design consisting of render and brick elevations. The conservation area includes buildings that were once part of an 18th Century hamlet and several are Grade II listed. Many houses are recessed from the highway and found in informal groups and tight clusters around gravel tracks and paths. Many dwellings are rough cast rendered and some have thatched roofs. The NP identifies that *“Dwellings around and in the vicinity of [Bramble] lane are arranged in a higgledy piggledy fashion... The evolution of this intimate and ‘disorganised’ layout gives charm to the area”*. As such, the significance of the conservation area derives from both its architectural and historic interest.
9. The proposed dwelling would infill the corner plot, which has three public sides, and would therefore be visible from the public realm. However, the site’s sense of enclosure would be maintained through the retention of boundary enclosures. Moreover, the provision of new boundary hedge planting would provide further screening of the proposal, enabling it to integrate well with existing development. Furthermore, access would be taken from Bramble Lane, enabling the retention of the complete boundaries to the adjacent two main roads. These features would maintain the generally subdued character of housing along the lane with the scheme conveying a largely subservient presence to the street.

10. Furthermore, whilst the site is undeveloped it is not especially open. Even if it were regarded as having an open character, such a feature would be at odds with the screened and enclosed character of most neighbouring plots within the surrounding area. Moreover, the site is not a location that illustrates a key break in built form that might warrant special significance. Also, the appeal dwelling would be similar, in setting and relationship to the street, as nearby dwellings of 17 and 19 Chewton Common Road, which directly address the street. It is also noted in having a similar plot size to several local examples, and by making adequate provision for parking provision and external space, the proposal would not appear cramped or constrained within the plot.
11. Consequently, the proposal would be in keeping with the character and appearance of the area and would preserve the significance of the conservation area. Accordingly, the proposal would comply with policies HE1 and HE2 of the East Dorset Local Plan Part 1 – Core Strategy [2014], saved policies BE4 and H12 of the Christchurch Local Plan and NP policy HWNP11. These seek, among other matters, for development to protect the significance of heritage assets and be of high quality that reflects and enhances areas of recognised local distinctiveness.

Dorset Heathlands SPA and Ramsar Site and Dorset Heaths SAC

12. The site is within 5Km of a Site of Special Scientific Interest, which is part of the Dorset Heathlands SPA and the Dorset Heaths SAC. The appeal site is therefore within the zone of influence of these European Sites. The significant features are its extensive network of lowland heath within southeast Dorset that are recognised for their national and international importance for nature conservation. They host protected priority habitats and species including Dartford warblers, nightjars, woodlark, hen harrier, merlin, sand lizards and smooth snakes as well as other typical species of lowland heathland, wetlands and dunes.
13. The addition of a new residential development, in combination with other plans and projects, would increase recreational pressure resulting in likely significant effects on the integrity of the SPA and SAC. The Council's Dorset Heathlands Planning Framework requires mitigation in the form of a financial contribution towards a Strategic Access Management and Monitoring. The submitted UU makes financial contributions towards these European Sites. This would secure the required mitigation in accordance with the above requirements. Following appropriate assessment under the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations), I am, therefore, satisfied that adverse effects on the integrity of the European Sites will be avoided.
14. Accordingly, the proposal would not result in an adverse effect on the integrity of the identified European Sites, in compliance with the Dorset Heathlands Planning Framework, regarding the Dorset Heathlands SPA and the Dorset Heaths SAC.

River Avon SAC

15. The site is within the zone of influence of the River Avon SAC. The significant features include habitat of a number of species including the Desmoulin's Whorl snail, Sea lamprey, Brook lamprey and Bullhead, providing a mosaic of aquatic habitats that support a diverse fish community¹. Its water quality is in an

¹ Joint Nature Conservation Committee, online resource

unfavourable condition due to high levels of nutrients. It is phosphorous limited where any addition is deemed to have an adverse impact on its integrity.

16. A nutrient (phosphate) calculation has been submitted in evidence and Natural England (NE) has accepted this as being accurate. This demonstrates that the scheme would result in the discharge of a phosphorous to the hydrological catchment of the River Avon SAC. As such, the appellant's phosphate metric demonstrates that offsetting would be required to achieve neutrality and informs that credits are available through the credit provider for a scheme at Pennyfarthing Bickton Fish Farm. NE comments that such mitigation would be necessary to prevent a Likely Significant Effect on the European and International Wildlife sites arising from the increase in residential units and recreational access.
17. The Council notes that if the scheme was found to be acceptable, in all other regards, a condition could be imposed to secure the required phosphate credits as outlined by the appellant. A Grampian Condition to require a suitable off-setting strategy would be required to be submitted and agreed prior to the commencement of development to secure the obligation and achieve neutrality. Accordingly, following appropriate assessment under the Habitat Regulations, I am, therefore, satisfied that the adverse effects on the integrity of the River Avon SAC will be avoided.
18. Consequently, the proposal would not result in an adverse effect on the integrity of the identified European Site, in compliance with CS policy ME1 regarding the effect on the River Avon SAC. This seeks, *inter alia*, for development to provide suitable measures to avoid or adequately mitigate the harm of development.

New Forest SPA, SAC and Ramsar sites

19. The Council's Position Statement explains that recreational impacts, from planned housing growth, would have potentially harmful impacts on the nature conservation designations. The Statement states that the New Forest National Park Authority has been operating a Habitat Mitigation Scheme since 2012. This seeks developer contributions towards a range of measures to address recreational impacts. These include access management, provision of alternative sites, education initiatives and monitoring and research.
20. NE was consulted, as part of this appeal, with respect to the proposed mitigation measures offered to address the effect on the Dorset heathland, Dorset Heaths and River Avon sites as reported above. However, NE also identified that mitigation would be required to prevent an adverse effect on the New Forest sites, indicating that a mitigation sum of £400 would be required.
21. The appellant has provided a copy of the Council's Position Statement, referred to in preliminary matters, and confirmed that the sum sought by NE, has been provided with its second UU. The payment of £400 would offset the adverse effects of development on the protected sites and would contribute to an agreed and comprehensive strategy that the Council has committed to. Furthermore, the mitigation sought is clearly agreed and defined by NE.
22. Accordingly, following appropriate assessment under the Habitats Regulations, I am, therefore, satisfied that the adverse effects on the integrity of the New Forest SPA, SAC and Ramsar site will be avoided, in compliance with the Council's Position Statement [2025] for the New Forest SAC, SPA and Ramsar site.

Other Matters

23. Bramble Lane is narrow and serves several dwellings. Interested parties have raised concerns that additional traffic using the lane would affect the safe use of the access onto Chewton Common Road and cause during and post construction. However, the site is of sufficient width to accommodate construction vehicles and materials without requiring storage or unloading within the lane and includes two parking spaces for future occupiers. Furthermore, the access from the lane onto Chewton Common Road provides adequate visibility to see oncoming vehicles. Consequently, the proposal would be unlikely to harm highway safety, a view shared by the Highway Authority.
24. The proposal would include sufficient external space for future occupiers to undertake common recreational activities. Also, the host dwelling would retain an adequate provision of garden, providing sufficient space for both properties.

Conditions

25. Although not sought by the Council I have included the standard three year implementation period and applied a condition that requires the scheme to be built in accordance with the approved plans in accordance with advice within the PPG. Condition 3, for a construction management plan and condition 10, to set hours of construction are required to protect the living conditions of neighbouring residents. A condition is also required for foundation details to ensure tree roots are protected during construction [4]. A condition is also required to ensure that the Likely Significant Effect on the integrity of the River Avon SAC is fully mitigated [5].
26. Conditions are also necessary for details of materials, enclosures and hard surfacing in the interests of the character and appearance of the area [6, 7 and 8]. A condition is also required to require the pedestrian visibility splay be provided and retained in the interests of highway safety [9]. To ensure storm water run-off is managed a condition is also required for hardstanding areas to be porous [11].
27. Furthermore, the Council seeks the imposition of a condition to remove Permitted Development Rights but has not disclosed which rights it seeks to remove. In consideration of the scheme and its relationship to the highway I find that it would be necessary to remove rights regarding an enlargement consisting of additions or alterations to the roof (Class B) and any other roof alterations (Class C) due to the site's prominence [12].
28. However, the Council's suggested condition, requiring details and provision of a vehicle charging point, has not been imposed. This requirement for this is already sought by Building Regulations and therefore should not be duplicated in this decision. The Council has also suggested that details of vehicular and bicycle parking arrangements are required, but these details are adequately shown on layout plan 2074P.100d and therefore further details are not necessary.

Conclusion

29. For the reasons given above the appeal should be allowed.

B Plenty

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Block Plan (2074P-001a), Proposed Site Plan (2074P-100d), Proposed Floor Plans (2074P-101a), Proposed Elevations (2074P-102a), Proposed Street Scenes (2074P-103b) and External Bin and Cycle Storage (2074P-105).
- 3) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period.

The plan/statement shall provide for: 24 hour emergency contact number; Hours of operation; Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction); Routes for construction traffic; Locations for loading/unloading and storage of plant, waste and construction materials; Method of preventing mud being carried onto the highway; Measures to protect vulnerable road users (cyclists and pedestrians) Any necessary temporary traffic management measures; Arrangements for turning vehicles; Arrangements to receive abnormal loads or unusually large vehicles; Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- 4) Prior to commencement of the development hereby permitted, a plan and report showing foundation details demonstrating that the trees subject to a Tree Preservation Order have been considered, shall be submitted to and approved by the Local Planning Authority.
- 5) No development shall commence unless proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the Local Planning Authority. Such proposals must: (a) Provide for mitigation which achieves a phosphorous neutral impact from the development; and (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures. The development shall be carried out in accordance with and subject to the approved proposals.
- 6) Before any above ground works commence, details of all external materials including, roofing materials (slate & ridge tiles), bricks, windows & doors, and architectural detailing (including fascia & soffits, barge boards & rainwater goods) are to be provided in writing to the Local Planning Authority. The works shall thereafter be carried out in accordance with these approved details.
- 7) Before any above ground works commence, details for the new hedging and fencing to be installed in place of the existing boundary treatment shall be submitted to the Local Planning Authority. The works shall thereafter be carried out in accordance with these approved details.

- 8) Before any above ground works commence, details of any new hard surfacing to be installed on site shall be submitted to the Local Planning Authority. The works shall thereafter be carried out in accordance with these approved details.
- 9) Prior to occupation of the development hereby permitted, the pedestrian visibility splays as shown on the approved plans shall be cleared of all obstructions over 0.6m in height above ground level and no fence, wall or other obstruction to visibility over 0.6m in height shall be erected within the area of the splay at any time.
- 10) During construction of the development hereby approved, no site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 0800 – 1800 Monday to Friday and 0800 – 1300 Saturday and at no time on Sundays, Bank Holidays or Public Holidays.
- 11) All ground hard surfaces implemented as part of the approved development shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The hard surface shall thereafter be retained as such.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes B and C of Part 1 of Schedule 2 to the Order shall be undertaken.

End of Conditions