



Appeal Decision

Site visit made on 26 November 2025

by K Jones BA (Hons) DipLA CMLI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2025

Appeal Ref: APP/V1260/D/25/3370744

6 Cotton Close, Poole BH18 9AJ

- 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 G. Morris against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is APP/24/01166/F.
 - The development proposed is the erection of detached annex building, modified entrance/driveway with new gate and parking/turning area.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of detached annex building, modified entrance/driveway with new gate and parking/turning area at 6 Cotton Close, Poole BH18 9AJ in accordance with the terms of the application, Ref APP/24/01166/F, subject to the conditions in the attached schedule.

Preliminary Matters

2. Considerable information regarding the surveying and management of badgers was submitted with the appeal, and the Council has been given the opportunity to comment on it. As the submissions contain technical detail and do not alter the scheme proposed, I am satisfied that there would be no procedural unfairness in my acceptance of them, and I have referred to this information as needed.

Main Issues

3. The main issues are:
 - Whether the proposal would constitute an annexe to the main dwelling;
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on protected species.

Reasons

Whether the proposal would constitute an annexe

4. The appeal property marks the end of the cul-de-sac at Cotton Close, accessed off a short stretch of sloping road. It has a large, irregularly-shaped garden extending from the dwelling in three directions, wrapping around the head of the cul-de-sac. The Council contends that the position and access arrangements of the proposed building, along with its facilities, would allow for independent use. It also considers

- that the scale of the proposal would not be subservient to the main dwelling, and that a functional connection to the main dwelling has not been demonstrated.
5. Whilst the proposal would provide facilities that might allow for independent day-to-day living, that does not necessarily mean the accommodation would be occupied independently or become a separate planning unit from the main dwelling. The description of development is clear that the building would be used as an annexe, and there is no proposal for a separate dwelling before me. It is important that I consider the development as it is proposed.
 6. The proposed annexe is located to the side of the main dwelling, across an existing area of parking and hardstanding. While it would occupy a parcel of land that is currently relatively separate from the remainder of the garden, the plans show a reconfiguration of the site access and parking which would remove any physical delineation between the two areas. This would result in a single vehicular access, shared parking, and shared garden spaces between the buildings.
 7. The appellant has provided information about the background to and need for the proposed annexe. I do not find it unreasonable that the appellant may seek to accommodate a dependant family member in annexed accommodation, particularly accommodation which provides facilities on one level without the need for stairs. A familial relationship would indicate that there is a functional connection between the annexe and the main dwelling, which would include comings and goings between the two areas of the property, along with the provision of assistance and care needs for a dependant relative. Accordingly, all occupiers would still be regarded as a single household.
 8. I acknowledge the Council's measurements of the proposal against the main dwelling. However, although the new building would be long in comparison to the width of the main dwelling, in terms of its overall footprint, scale, and massing I am satisfied that the proposal would be clearly subservient to the main dwelling. Moreover, the approved renovations to the main dwelling would see marked increases to its height and width, resulting in a greater degree of subservience.
 9. Accordingly, although the proposal would not be attached to the main dwelling, all of the foregoing matters point to the annexed nature of the appeal building, and the existence of a functional link between the annexe and the main dwelling. As such, based on the evidence before me, the use of the site, in its entirety, would remain a single residential planning unit.
 10. I therefore conclude that the proposed development would constitute an annexe to the main dwelling. It would accord with Policy PP13 of the Poole Local Plan (2018) (the Local Plan), which requires, amongst other things, that annexes are ancillary to and have a functional connection with the main dwelling; rely on a common shared vehicular access with adequate parking for occupants; and remain as a single planning unit with the main house.

Character and appearance

11. This part of Cotton Close comprises a series of large, detached dwellings set within generous gardens. As I have outlined above, I consider that the proposal would be subservient to the main dwelling at No 6. Within the context of large dwellings and plots, the modest annexe structure would sit sympathetically within the street

scene, and would not be perceived as a new dwelling. The creation of a single vehicular access into this part of the site would not alter this perception.

12. In addition, I have been referred to a previous planning permission at the site for a garage/car port, and I was able to see on site that the footings for this building are in place and have been for some time. The appellant is clear that it is their intention to implement the remainder of the permission should the current appeal fail, and I am satisfied on the basis of the evidence before me that this is an extant permission that represents a material fall back position.
13. The proposed annexe follows the same dimensions as the approved garage, including a similar palette of materials. That permission also includes a relocated vehicular access in a similar form to that now proposed. The annexe would introduce solid walls and windows where parts of the car port would have been open. However, set back from the road edge, behind a hedgerow and gates some 1.8-2m tall, a different wall structure is unlikely to be noticeable in the street scene. There is no compelling evidence that fairly superficial changes to the building's external appearance would result in a change to its perception as an appropriately sited outbuilding.
14. Taking all of the above into account, I conclude that the proposal would not harm the character and appearance of the area. It would therefore accord with Policy PP27 of the Local Plan, and Policy BP08 of the Broadstone Neighbourhood Plan. Amongst other things, these policies require a good standard of design which reflects local patterns of development and neighbouring buildings in terms of layout and siting, including building line, height and scale, bulk and massing, materials and detailing, and visual impact.

Protected species

15. Separately to this planning application, several badger surveys, licenced works, and mitigation operations have been carried out at the appeal site since 2022, with extensive monitoring of the site and its surroundings. I was able to see several of the mitigation features in situ during my site visit. The latest survey, carried out in October 2025, confirmed that while badgers are active in the area, the site of the proposed annexe does not support setts or active digging, and the mitigation measures are effective in preventing the establishment of setts within this part of the appeal site.
16. Much of this information was submitted as part of the appeal process, and the Council has been given the opportunity to comment on it. In so doing, the Council has confirmed that the information is sufficient to address its concerns regarding badgers. I see no reason to disagree, and find that appropriate survey information has been provided to allow an assessment of the proposal's impact on protected species, and that appropriate avoidance, mitigation, compensation, and monitoring measures have been put in place so that the proposal can be implemented without harm or disturbance to badgers.
17. Consequently, subject to a condition securing the retention of the installed mitigation and compensation measures during construction of the annexe, I find that the proposal would accord with Policy PP33 of the Local Plan and the provisions of the Framework. These require, amongst other things, that development proposals demonstrate the protection and management of protected species, and incorporate measures to avoid, reduce or mitigate their disturbance.

Other Matters

18. The appeal site lies within 400m of part of the Dorset Heathlands Special Protection Area and Ramsar site, and the Dorset Heaths Special Area of Conservation, afforded protection under the Conservation of Habitats and Species Regulations 2017. The adopted Dorset Heathlands Planning Framework¹ sets out a strategy to ensure that any adverse effects on the integrity of these sites are avoided or mitigated. In accordance with that strategy, development including granny annexes where there would be no net increase in dwelling units is not likely to have a significant effect upon the designated site. It has therefore not been necessary for me to consider this matter further.
19. The Council has found no harm to the living conditions of neighbouring properties with regard to privacy or outlook. Due to the scale of the building and the orientation of its windows and doors, I see no reason to disagree.

Conditions

20. I have considered the Council's suggested conditions in accordance with Planning Practice Guidance. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans for the avoidance of doubt and in the interests of certainty. Mindful of the likely renovation of the main dwelling in the future, I have also attached a condition requiring that the external materials be in accordance with the plans, rather than matching the existing dwelling, as this is likely to change.
21. The Council has suggested a condition restricting the use of the building for residential purposes 'ancillary' to the main dwelling. The proposed annexe use would be part and parcel of the existing dwellinghouse use, and not ancillary to it. However, bearing in mind that the proposal would remain in place long after any currently identified need, it is appropriate to attach a condition restricting the use to that which is part of the main dwelling. In light of this restricted use, further controls on lettings are unnecessary.
22. A condition requiring an arboricultural method statement is reasonable and necessary due to the proximity of protected trees and the proposed groundworks associated with the driveway and parking areas.
23. Given the submission of recent badger surveys and implementation of appropriate and effective management, mitigation, compensation, and monitoring works, it is not necessary to condition further surveys. However, as the planning permission runs with the land, it is reasonable and necessary to condition the retention of the mitigation and compensation measures to ensure that badgers remain protected throughout the construction period regardless of any changes in land ownership.

Conclusion

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

K Jones

INSPECTOR

¹ The Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document April 2020

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 drawing nos:
LMA.24.007 001 (Location & Block Plan)
LMA.24.007 002 (Proposed Site Plan)
LMA.24.007 100 (Proposed Annexe Floor Plans & Elevations)
LMA.24.007 200 (Proposed Street Scenes)
Plan detailing Proposed Biodiversity Enhancements (2 x External wall-mounted bat boxes)
- 3) The building hereby permitted shall not be used other than as part of the dwelling known as 6 Cotton Close, Poole BH18 9AJ. It shall not be used at any time as a separate unit of living accommodation.
- 4) The external surfaces of the building hereby permitted shall be constructed in the materials shown on drawing no. LMA.24.007 100 (Proposed Annexe Floor Plans & Elevations).
- 5) An arboricultural method statement prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of groundworks associated with the proposed driveway and parking areas. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:-
 - a) a specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
 - b) a specification for scaffolding and ground protection within tree protection zones in accordance with BS5837;
 - c) details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
 - d) plans and particulars showing the siting of the service and piping infrastructure;
 - e) details of all other activities which have implications for trees on or adjacent to the site.
- 6) The badger mitigation and compensation measures installed on site, including the badger proof fencing and artificial sett, shall be retained on site and maintained in effective condition until the completion of construction works associated with the building hereby approved.

END OF SCHEDULE