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## Appeal Decision

Site visit made on 18 December 2025

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 February 2026

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### Appeal Ref: APP/V1260/W/25/3369975

### 9 Mountbatten Road, Poole BH13 6JE

- 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 Ms Jess Andrews against the decision of Bournemouth Christchurch and Poole Council.
  - The application Ref is P/25/00608/FUL.
  - The development proposed is to extend and alter the existing building and sever the plot to create two houses with associated parking.
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### Decision

1. The appeal is allowed and planning permission is granted to extend and alter the existing building and sever the plot to create two houses with associated parking at 9 Mountbatten Road, Poole BH13 6JE, in accordance with the terms of the application Ref. P/25/00608/FUL and subject to the schedule of conditions to this Decision.

### Preliminary Matters

2. During the appeal, the appellant submitted an amended proposed ground floor plan indicating the locations of the bin and cycle stores and parking (Ref. PL 110, Rev B). However, as there is no certainty that the amended plan was subject to consultation, I consider it fairer to determine the appeal on the basis of the plans and drawings on which the Council made its decision.
3. The description on the application form includes reference to the creation of a new access to the appeal site. During the application process, this element was removed through an amended scheme. Therefore, in the interests of accuracy my description of the development reflects this change.

### Background and Main Issues

4. The appeal site lies within the zone of influence of the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar designations, where the creation of additional bedrooms could increase recreational pressure and potentially harm these protected areas. Although the application originally attracted a fourth reason for refusal (RfR) relating to the absence of mitigation for these designated sites, the Council has since revised its position. It now considers that mitigation is only required for major strategic developments, which this proposal is not. Accordingly, the Council has withdrawn its earlier statements on this matter and is no longer pursuing the fourth RfR. Having considered the evidence, I see no reason to take a different view, and I therefore regard the fourth RfR as withdrawn.

5. The appeal is accompanied by a signed Unilateral Undertaking (UU) under Section 106 of the Town and Country Planning Act 1990, securing mitigation for impacts from future occupiers on the Dorset Heathlands (SPA, SAC and Ramsar Site) and the Poole Harbour SPA. The Council confirms that the UU is completed, the required financial contributions have been paid, and the necessary mitigation is in place. As a result, RfR 2 and 3 are no longer being upheld. I therefore do not need to consider this matter as a Main Issue.
6. Accordingly, the main issue is the effect of the proposal on the character and appearance of the area, including the Avenue Conservation Area ('the Avenue CA').

### **Reasons**

7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The National Planning Policy Framework ('the Framework') further requires assessment of the particular significance of any heritage asset that may be affected by a proposal.
8. The appeal site ('the Site') comprises a detached chalet style dwelling incorporating a garage, which is located on the south side of Mountbatten Road, occupying a corner plot at the junction with Pinewood Road.
9. The Site lies within the Avenue CA. From my observations, this is characterised by a spacious residential area with generously sized properties set within plots containing high-density planting and mature landscaping. Plot sizes are noticeably larger in the western portion of this CA and gradually diminish in scale towards the eastern end, where the Site is situated.
10. Owing to its corner location, the Site occupies an uncharacteristically shallow yet wide plot. Nevertheless, it features mature landscaping and low brick boundary walls along its roadside frontages, both of which are characteristic elements of the Avenue CA. As a result, the site's design, landscaping and boundary treatments make a positive contribution to the character and appearance of the surrounding area and the significance of the Avenue CA.
11. The proposal seeks to subdivide the existing plot to create an additional dwelling, facilitated by extensions and alterations to the existing property. The proposed works include the enlargement of the property, new chimney, dormers, and fenestration changes. Although these would increase the overall built form, they remain subordinate and sympathetic to the appeal property. They reflect its subtle Arts and Crafts influences and would utilise matching materials and detailing. As such, the proposed extensions and alterations would not result in harm to either the appeal property or the Avenue CA.
12. However, one of the subsequent dwellings (Unit 2) would incorporate a smaller plot than those associated with dwellings nearby. Even so, and notwithstanding the provision of bin and cycle storage, this would incorporate a sufficient quantum of private amenity space to meet the requirements of the occupiers of this dwelling.
13. The continued use of the existing access, combined with the proposed extension and alterations, would result in the development appearing from public viewpoints

as a single dwelling set within a unified plot. The existing garden already displays a degree of subdivision, with a large shed, boundary wall and gate, separating a hard-landscaped area from a more traditional landscaped section. The proposed plot division would broadly mirror and formalise this established arrangement.

14. The external amenity spaces for the proposed plots would be enclosed by existing boundary treatments and landscaping, making them largely imperceptible from the wider area. Consequently, they would not undermine the prevailing spacious character of the surroundings. The scheme also relates well to the design of the existing property and retains the majority of the original boundary wall and boundary landscaping, ensuring continuity with the established appearance of the Site. Overall, the proposal respects the Site's context, preserves the spacious and sylvan qualities of The Avenue CA, and would not result in harmful intensification.
15. As such, the proposal would not harm the character and appearance of the area and preserves the character, appearance and significance of the Avenue CA.
16. Therefore, I am satisfied that the proposal would not conflict with Policy PP28 of the Poole Local Plan (2018). This Policy relates to the subdivision of existing plots. Nothing before me indicates that the plot could not accommodate an appropriate layout, adequate parking provision or usable private amenity space, nor is there any persuasive evidence to suggest that these could not be achieved in a manner that preserves the established residential character of the surrounding area.
17. It also satisfies LP policies PP27 and PP30, which together require that proposals deliver a good standard of design that respects the existing building and its context, preserves or enhances the significance of heritage assets, and supports the retention of features that contribute positively to the conservation area. Accordingly, the scheme is consistent with the LP Policy PP02 which relates to the location of development.

### **Other Matters**

18. The Council and a third party have referred to previous refusals involving plot subdivision, including one dismissed at appeal within a Conservation Area. The case referenced by the Council concerned a different location, a different context, and a far more substantial form of subdivision involving two separate buildings with independent accesses. In respect of the other refusal cited, insufficient information has been provided to enable any meaningful comparison. As such, these examples do not alter my assessment or conclusions.
19. The submitted UU includes an obligation confirming that the development is to be carried out as a self-build project. This secures the basis on which the self-build exemption from Biodiversity Net Gain applies.

### **Conditions**

20. I have had regard to the conditions put forward by the Council considering the requirements of the Planning Practice Guidance and the Framework. In addition to the standard timescale condition for the implementation of the planning permission, I have imposed a condition specifying the approved plans and documents in the interests of certainty.
21. A condition requiring on-site renewable energy generation is required to ensure the development contributes to reducing carbon emissions.

22. A condition is necessary to ensure that the turning and parking areas for Unit 1 is provided in accordance with the approved details in the interests of the safe functioning of the development and highway safety. For the same reasons, and although the proposed ground-floor plan indicates two parking spaces for Unit 2, it is unclear how these would operate in terms of access and turning. A separate condition requiring the submission and implementation of a parking and turning scheme for Unit 2 is therefore also necessary.
23. I have imposed a condition requiring cycle and bin storage, as this is necessary to promote sustainable travel through secure cycle parking and to ensure well-designed bin storage that supports good residential amenity and avoids visual clutter.
24. Given the reduced plot sizes, removing permitted-development rights is justified to prevent unsympathetic additions, alterations or outbuildings that could harm neighbour amenity or the character of the development and the Conservation Area.
25. A condition requiring compliance with the submitted Arboricultural Method Statement is necessary to protect retained landscaping including trees during construction.
26. I have specified a condition requiring that all external materials match the existing building to ensure that the development achieves a high-quality appearance and remains in keeping with the character of the existing building and area.
27. As a precautionary measure, a condition requiring that any vegetation clearance on this site is undertaken outside bird nesting season is necessary to protect nesting birds and to ensure that any vegetation removal does not disturb active nests.
28. A condition to ensure that the development delivers the proposed ecological enhancements, as set out in Preliminary Roost Assessment is necessary to improve biodiversity.
29. A condition requiring the use of porous hard surfaces or appropriate drainage measures is necessary to manage surface-water run-off sustainably and reduce flood risk.
30. As the proposed scheme relies on an existing access, there is no strong justification for requiring further construction or approval of the first five metres of this access.
31. Where necessary and in the interests of clarity, flexibility and precision, I have altered the conditions to better reflect the relevant guidance.

### **Conclusion**

32. For the above reasons, I conclude that the appeal should be allowed.

*M Aqbal*

INSPECTOR

### **Schedule of Conditions**

- 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
- 2) Unless otherwise required by any conditions set out below, the development hereby permitted shall be carried out in accordance with the following approved plans and documents:  
PL 000 Location Plan;  
PL 010 A Proposed Site Plan;  
PL 110 A Proposed Ground Floor Plan;  
PL 111 A Proposed First Floor Plan;  
PL 210 Proposed Elevations;  
Tree Protection Plan: Ref. DS/36125/AC and Arboricultural Impact Assessment & Method Statement; and  
Preliminary Roost Assessment.
- 3) No part of the development shall be occupied until details of the on-site renewable energy measures to achieve a minimum of 10% of the predicted energy demand of the residential development have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to the first occupation of the dwelling to which they relate and shall thereafter be retained and maintained for their intended purpose.
- 4) Prior to its occupation, the access, turning and parking areas serving Unit 1 shall be fully constructed and laid out in accordance with Drawing PL 110 A. Proposed Ground Floor Plan. These areas shall thereafter be retained, kept free from obstruction, maintained, and made available at all times for the purposes specified.
- 5) No part of the development hereby permitted shall be occupied until a scheme for car parking with appropriate onsite turning provision for Unit 2, has been submitted to and improved in writing by the Local Planning Authority. Prior to its first occupation, the approved turning and parking areas serving Unit 2 shall be fully constructed and laid out in accordance with approved details. These areas shall thereafter be retained, kept free from obstruction, maintained, and made available at all times for the purposes specified.
- 6) No part of the development shall be occupied until details of bin and cycle storage for both dwellings (Unit 1 and Unit 2) have been submitted to and approved in writing by the Local Planning Authority. The bin and cycle storage facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the respective dwelling. They shall thereafter be retained for their intended purpose.
- 7) All external facing and roofing materials used in the development shall match the existing building in colour, texture and appearance.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent re-enactment of that Order, no extensions, outbuildings, or other alterations falling within Classes A, B, C or E of Part 1 of Schedule 2 shall be carried out to the dwellings hereby permitted without the prior written approval of the Local Planning Authority.
- 9) The development hereby permitted shall be carried out in accordance with the details contained in the approved Tree Protection Plan: Ref. DS/36125/AC and Arboricultural Impact and Method Statement from Treecall Consulting dated 20 May 2025.
- 10) Biodiversity enhancements as set out in section 6 of 'Preliminary Roost Appraisal (PRA) 9 Mountbatten Road, Poole' by KP Ecology Ltd must be implemented in full prior to the first occupation of any dwelling hereby permitted.
- 11) Any vegetation clearance on this site should be undertaken outside the bird breeding season of 1st March to 31st August inclusive. Unless it can be sufficiently checked and confirmed by an ecologist to show that nesting birds are not present.
- 12) All hard ground surfaces 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 ground surfaces shall thereafter be retained as such.