

# **Borough of Poole**

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## **Planning Committee**

### **List of Planning Applications**

**16 November, 2017**

## **BOROUGH OF POOLE**

### **Planning Committee**

**DATE: 16 November 2017 at 13.00**

#### **NOTES:**

1. Items may be taken out of order and therefore no certain advice can be provided about the time at which any item may be considered.
2. Applications can be determined in any manner notwithstanding the recommendation being made.
3. Councillors who are not members of the Planning Committee but who wish to attend to make comments on any application on this list or accompanying agenda are required to give notice by informing the chairman or Planning and Regeneration Manager before the meeting.
4. Councillors who are interested in the detail of any matter to be considered should consult the files with the relevant officers to avoid queries at the meeting.
5. Any members of the public wishing to make late additional representations should do so in writing or by contacting their Ward Councillors prior to the meeting.
6. Letters of representation referred to in these reports together with any other background papers may be inspected at any time prior to the Meeting and these papers will be available at the Meeting.
7. For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with section 100D will always include the case officer's written report and any letters or memoranda of representation received (including correspondence from all internal Borough Council Service Units).
8. Councillors are advised that if they wish to refer to specific drawings/plans which are not part of these papers to contact the relevant case officer at least 24 hours before the meeting to ensure these can be made available.
9. Members are advised that, in order to reduce the size of the agenda, where conditions are marked on the plans list as Standard these will no longer be reported in full. The full wording of the condition can be found either in hard copy in the Members rooms, or via the following link on the Loop  
<http://bopwss3/sus/ww/Shared%20Documents/Standard%20Conditions.doc>

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<b>ITEM NO</b>	01
<b>APPLICATION NO.</b>	APP/17/01178/R
<b>APPLICATION TYPE</b>	
<b>SITE ADDRESS</b>	Land South of Arts University Bournemouth, Fern Barrow, Poole, BH12 5HH
<b>PROPOSALS</b>	Reserved Matters Application following approval of Outline Planning Permission APP/16/00454/P for the approval of access, appearance, landscaping, layout, scale, landscape maintenance, the provision of lighting, street furniture, bollards, etc. and the storage and removal of refuse in connection with the student residential accommodation and entrance pavilion.
<b>REGISTERED APPLICANT AGENT</b>	14 August, 2017 Arts University Bournemouth Turley
<b>WARD</b>	Branksome East
<b>CASE OFFICER</b>	Helen Harris

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## **INTRODUCTION**

This application is brought before Committee by Cllr Mellor due to the level of local interest in the application.

Recommendation for **Grant with Conditions**

## **THE PROPOSAL**

This Reserved Matters Application follows the granting of Outline Planning Permission (APP/16/00454/P) to 'provide new academic buildings (up to 13,000 sqm), student residential accommodation (up to 300 bedspaces), arrivals pavilion (up to 1,000 sqm), new vehicular access from Gillett Road, car parking (minimum of 220 spaces) and structural landscaping'. That Permission set out areas for strategic boundary planting and general parameter plans. The current Reserved Matters application complies with the strategic planting and parameter plans and seeks the approval of access, appearance, landscaping, layout and scale, including the provision of lighting and street furniture, and the storage and removal of refuse in connection with the student residential accommodation and the Arrivals Pavilion, showing the new access to Gillett road and associated landscaping.

The proposed student accommodation would create 42 cluster flats providing 297 student bed spaces, in the form of 269 single en-suite rooms, 23 studios and 5 accessible (disabled) studios. There would be 3 residential buildings: Block A would be adjacent to Fern Barrow and wrapping around into Gillett Road at the southern end of the site, built to 3 and 4 storeys, Block B and C are east of Block A creating a residents core to the west and fronting the future permitted site for academic accommodation. Blocks B and C are 4 storeys.

## **MAIN ISSUES**

The principle of both the academic accommodation and student accommodation (up to 300 bedspaces) has been secured by the Outline Planning Permission. This application provides the details in relation to the appearance, siting and scale of the new student accommodation buildings and the associated street furniture/features and site operations. These detailed matters will be considered under general headings but will encompass the issues concerning the Reserved Matters.

## **SITE DESCRIPTION**

The Arts University Bournemouth (AUB) has evolved from the Bournemouth and Poole College of Art (in the 1960s) to becoming AUB in 2012. It is a specialist provider of high quality teaching, learning and scholarship in arts, design, media and performance. Its buildings are situated to the south of Bournemouth University (BU) and to the east of the road of Fern Barrow and the residential estate known as Talbot Village. The historic Talbot Village (including its Conservation Area) is situated to the north beyond Wallisdown Road.

The land, the subject of this application, is in part gravel car parking, and in part open grazing land with boundary hedging.

## **RELEVANT PLANNING HISTORY**

Outline Planning Permission (APP/16/00454/P) was granted on 16 December 2016 for the campus extension to 'provide new academic buildings (up to 13,000 sqm), student residential accommodation (up to 300 bedspaces), arrivals pavilion (up to 1,000 sqm), new vehicular access from Gillett Road, car parking (minimum of 220 spaces) and structural landscaping', with all matters reserved. That Permission set out areas for strategic boundary planting and general parameter plans. 27 conditions were attached, many of which are subject to a separate discharge of conditions application.

Bournemouth University's hybrid application (ref: APP/16/00803) for the construction of the 4th arm to Boundary Roundabout and the car park extension, bus hub, landscaping and tree removal and planting, and FB2 building was granted permission in September 2016. The Reserved Matters application (17/00883) pursuant to this is now under consideration, and building works relating to the new bus hub and new road (upon which AUB depends) have commenced.

## **PRE-APPLICATION ADVICE**

Several meetings were held between April and July 2017 with representatives of AUB and officers of BoP guiding the application to submission stage.

## **COMMUNITY CONSULTATION**

An exhibition was held on during the afternoon and evening of 13 June 2017 and attended by 98 people (14% of those consulted).

## **CONSULTATIONS**

The Head of Transportation Services - Drainage has no objection to the drainage technical note dated July 2017, and is satisfied with the design of SUDs and flooding matters.

The Head of Transportation Services is content with the highway detail provided. Further detail is needed to discharge other conditions of the Outline Permission.

## **REPRESENTATIONS**

There have been 25 letters of objection, some of which share a common template, with issues raised including:

loss of last piece of green space and horses, overlooking and loss of privacy to neighbours which will worsen with tree fall in autumn/winter, area's character would be destroyed, eyesore from additional lighting and street furniture, intrusive noise and light pollution, unsafe for elderly, development too high (could be sunk into ground), overdevelopment (and overpopulation) with insufficient infrastructure to support it, existing low water pressure and inadequate sewers to support proposal, too much traffic and pollution, inadequate parking provision, threat to road safety and need for more signage, perpetuating grid lock on Wallisdown Road, refuse area will become increasingly busy and amount to a hub for waste management.

Similar representations to the above were all considered as issues of principle when the Outline Planning Permission was considered and approved in 2016.

Natural England have raised requests for details of reptile receptor sites and site enhancements and these matters can be secured by planning condition.

Whilst NE maintain objections those issues relate to other conditions which are yet to be submitted to, and resolved by the Local Planning Authority, and do not relate to the Reserved Matters the subject of this application.

The Crime and Prevention and Design Advisor remarks that there is a high daily footfall through the Universities with little recorded crime in the teaching facilities. However, bike theft crime exists and burglaries in accommodation, so attention should be paid to controls on accesses, door alerts, and lighting.

## **PLANNING CONSIDERATIONS**

### **POLICY AND GUIDANCE**

#### **STRATEGIC CONTEXT**

National Planning Policy Framework (Adopted March 2012)

#### **LOCAL CONTEXT**

The following policies are listed as applying to this application.

Poole Core Strategy (Adopted February 2009)

PCS17 The A3049 East-West Corridor  
PCS23 Local Distinctiveness

- PCS24 Design and Access Statements
- PCS26 Delivering Locally Distinctive, Self-Reliant Places
- PCS27 Safer Communities
- PCS28 Dorset Heaths International Designations
- PCS36 Joint Working
- PCS37 The Role of Developer Contributions in Shaping Places

Supplementary Planning Document

- SPD1 Parking & Highway Layout in Development
- SPD Talbot Village

Poole Site Specific Allocations & Development Management Policies DPD (Adopted April 2012)

Development Management Policies:

- DM1 Design
- DM7 Accessibility and Safety
- DM8 Demand Management
- DM9 Green Infrastructure and Biodiversity

Site Specific Allocations:

- SSA20 Land South of Wallisdown Rd, Talbot Village

**PLANNING JUDGEMENT**

The principle of development has been secured by the grant of Outline Planning Permission as detailed above. That permission set parameter plans indicating zoning for development and strategic landscape, as well as by condition limiting the height of the Student Accommodation to a maximum of four storeys.

This Reserved Matters application complies with the parameter plans and the four storey height limit, and now seeks approval on the precise layout, scale, appearance and landscaping, as well as details of lighting, street furniture, and the storage of refuse. Those matters are considered in turn below:

Character of the area

Layout and scale

The layout has evolved from the indicative outline plan in response to consultation feedback and the modified Brief of the University. In accordance with the parameter plans the Arrivals Pavilion remains in the same position (to the north of Development Zone 1) providing a gateway to the southern part of the site. The layout of the accommodation blocks provides staggered, and stepped blocks, set in a (broken) horse shoe arrangement that departs from the six separate, 4 storey, and angled blocks indicated at the outline stage. In part this is in response to residents feedback for buildings of lower height, so that the introduction of some 3 storey blocks on the western side has required a greater footprint of building on the site.

The revised layout is favoured, as its staggered footprint and varied height breaks up

building mass and reduces perceived scale, and allows 'breathing space' between the clusters of student flats, and the stepped heights reduce continuous block form as seen at roof level. Further, the Fern Barrow frontage provides opportunities for strategic planting within gaps and increased distances to the residential properties to the west. Such variety is considered to be a design improvement upon that indicated at outline stage and it is through the use of materials, façade treatments and windows that some uniformity and campus identity can be created.

### Appearance

Brick is proposed as the main building material, common with that used for the Student Services building. Its dominance would be broken up by the use of polyester powder coated aluminium cladding at the stair cores, with further cladding to windows and entrance points, and projecting corner bay windows providing visual interest. It is considered that the proposed materials would successfully provide interest to the buildings that otherwise could appear bland and uniform by reason of their scale.

### Landscaping

The landscaping strategy comprises 3 elements for the student accommodation:

- The strategic boundary

The outline permission requires (by way of condition 10) a 6.5m wide landscaped buffer around the perimeter of the site (with its extension northwards to provide a 2.5m buffer along the edge of the existing AUB site), as seen from Fern Barrow. This would include a mounded land forms upon which planting would be provided, an avenue of semi mature trees, and fencing (for security) with hedgerows along it.

- Woodland and heath

Behind the strategic planting (towards the new building) there would be woodland and native heath type planting, reflecting the biodiversity of Dorset Heathland, with access to it via a gravel path.

- Connection to the campus with useable space.

It is the hard and soft landscaping that would provide the connection between the existing University and the proposed new buildings. A series of squares, with raised lawns, trees and seating would link up with a central area and support 'wayfinding', including via the Arrivals Pavilion.

The proposed landscaping would provide unity to the campus, with screening to and from the new buildings to the nearby houses, shops and University buildings. Semi mature trees are proposed and earth mounds are to be created to maximise the benefit of landscaping to the area. Landscaping would help to soften the impact of the new accommodation in its context, and create an attractive and managed environment for the future. The Landscape Management Plan and Arboricultural Impact Assessment set out how the new trees (replacing the low level trees to be lost) and the new planting would be maintained and managed in the future, and this can be recognised and secured in a planning condition. In terms of hard landscaping, this has been designed with larger paving slabs defining courtyard spaces to the building, and smaller areas providing directional routes through the spaces creating structure and allowing movement through the site. There is a wide range of surface treatments proposed, including concrete block permeable paving, arboresin (under trees), gravel pathways and galvanised steel grills, that all provide variety and appropriate treatments in relation to their location. Raised lawns and planting soften the landscape and provide greater variety, including the facilitation of raised planter seating, benches, feature lighting, and bins, that comprise the street furniture that is an integral element of the

landscaping scheme. The walling around the planting is particularly favoured as it has a dual function of containing planting beds and providing an extensive amount of seating area.

### Biodiversity

Matters relating to biodiversity (including reptiles, bats and badgers) are part of the biodiversity mitigation and enhancement plan required by condition 27 of the outline consent (ref: 16/00454), and therefore they are not part of the planning judgement of this reserved matters stage.

### Impact upon residential amenities

There is a distance of about 37 metres from the end facing elevation of 26 Charlotte Close and the new building, which represents the narrowest gap between existing and proposed built form across Fern Barrow. There are many windows in the west facing elevation of Block A that would look towards dwellings in Talbot Village. Those at ground and first floor level would be obscured by the bund, planting and trees, and the boundary treatment in the form of walls and fences to existing gardens. Windows above this level, by reason of their elevation (above the tree line before it matures), would provide views towards the houses but with the separation distances of 37ms and more, the angle of views and in most cases towards residential secondary elevations, it is concluded that there is no demonstrable harm in terms of loss of privacy from overlooking and this is an acceptable relationship.

There would inevitably be additional noise from the site (compared to its current use as grazing land) as a consequence of the proposal, but this is not harmful in an urban environment such as this, and in any event the principle of development is agreed by the Outline permission detailed above. The layout of the proposal, however, seeks to minimise the impacts of noise by the creation of a horseshoe of buildings, focussing the student activity to within the horseshoe and not direct to the roadside fronting Fern Barrow.

### Highways and Access

The site's main access would remain from Fern Barrow but there would be a further (subsidiary) access to the south from the access spur on Gillett Road. As agreed at the outline stage, car parking numbers would be retained at a minimum of 250 as this phase of development does not result in an increase in cars coming to the site. To maintain this level of provision the spaces in the temporary car park lost to the student accommodation will be re-provided to the south of the existing temporary car park. The campus security team would occupy the Arrivals Pavilion and therefore manage access at Fern Barrow entrance. The retained Gillett Road access would be used as a low key access point for service vehicles (like refuse lorries) and residents of the five accessible studios with their associated disabled parking spaces. There is sufficient space for a refuse vehicle to enter the site at Gillett Road, turn around and leave the site in a forward gear as demonstrated by the tracking drawings. Emergency vehicles can enter via Gillett Road and/or Fern Barrow. A locked gate within the landscape boundary would provide additional emergency fire fighting access on Fern Barrow. Other than those with mobility issues, residents of the student accommodation would not be permitted to keep a car.

Pursuant to condition 13 of the outline permission a Travel Plan is provided, the details of which are consistent with the earlier Sustainable Transport and Travel Plan dated 2015, and its aims, measures, targets and future management are accepted.

### Cycling

Residents living within the student accommodation would have access to a secure 100 cycle capacity bike store, to the east of Block B. However, this is an under provision (according to the guidance in Parking and Highways Layout SPD) , but the applicants consider that those students living within the student accommodation are less likely to own or use a bicycle than those living further afield because they are already on campus with access to its services and facilities, which they consider is as a reasonable expectation. The existing University bus service and the developing 'bus hub' would still operate for those needing to travel.

In light of this shortfall and to comply with conditions of the outline permission it is considered necessary to create a 'watching brief' by way of planning condition, that requires the applicant to carry out an annual survey of bike store usage so that if there is an occupancy greater than 85% (measured by a methodology agreed with the LPA) over the next 3 years then additional provision can be created. Further, Condition 7 of the Outline permission requires a highways improvement scheme to upgrade the existing shared footways along Fern Barrow, between the Fern Barrow and private road roundabout and Gillett Road, and the improvement of footways along Gillett Road to the Gillett Road extension. (The shared cycle/footway improvement works are shown indicatively on the submitted drawings). The route is shown on the western side of Fern Barrow, connecting with existing cycle infrastructure to the north, and eventually continuing up Gillett Road. This routing has been provisionally accepted by the Local Planning Authority during pre-application discussions, and full technical details can be agreed by condition in accordance with the outline consent. This upgrading work would benefit pedestrians and cyclists travelling to the University and also to members of the public and the local community by connecting Fern Barrow and Gillett Road into a wider network.

### Pedestrians

Pedestrian access to and from the student accommodation would be via the Arrivals Pavilion connecting to the existing campus. Hard landscaping would with steps and a ramp would define the route and access. An improved pedestrian link to the Bus Hub is being delivered as part of these works on AUB land.

### Refuse

A central bin store is provided to the east of Block C and this building will have capacity for 16 x 1100L bins. As part of their induction, students residing within the accommodation will be advised to take their refuse and recycling to the central bin store. The store will then be emptied by the University's appointed refuse company that would access and leave the site via the Gillett Road access. Waste bins will be located within the central landscaped area, forming part of the street furniture of the hard landscape plan.

### Lighting

Lighting proposals concern the whole AUB site and provide a variety of sources to illuminate the campus. On the vehicular routes horizontal illumination is used so as to not distract drivers, in the form of bollard luminaire and highway lighting columns. Pedestrian paths would have in-ground uplights and wall lights. At the arrivals pavilion integrated LED handrails are proposed across the steps leading to the student accommodation, which together with the backlit signage would highlight the AUB entrance to the campus. The lighting strategy is intended to respond to the human scale and use of the site, adding to the

character and style of the proposed development.

## **INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS**

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule. However, student accommodation sits outside this remit of this legislation.

## **CONCLUSION**

The detailed plans comply with the agreed parameter plans and present an improved scheme to that illustrated at outline stage. Whilst complying with the terms of the Talbot Village Master plan SPD, building heights have been reduced, the layout is improved and connectivity with the BU enhanced. An application for the discharge of conditions pertaining to the outline permission is currently under consideration, so that the attachment of additional conditions with this reserved matters application are pursuant to them. With these requirements it is considered that adequate measures can be put into place that ensure the appearance and operation of the site is controlled and maintained, in accordance with Local Planning Policies.

## **RECOMMENDATION**

It is therefore recommended that this application be **Granted with Conditions** subject to the following:

### **Conditions**

1. GN150 (Time Expiry 3 Years (Standard))
2. GN030 (Sample of Materials)
3. LS040 (Landscaping Scheme to be Implemented)

4. AA01 (Non standard Condition)

Notwithstanding the agreed Cycle Parking provision, an annual survey, with methodology agreed with the Local Planning Authority, shall be carried out in November 2018, 2019 and 2020, to gauge the appropriate and acceptable provision of bike storage on the site, and should its findings identify a shortfall in provision then means to increase the provision to an agreed timetable shall be agreed with the Local Planning Authority, provided and retained thereafter.

Reason - to ensure that adequate level of secure cycle storage is provided on site in accordance with PCS15 of the Poole Core Strategy adopted 2009, and DM7 of the Poole Site Specific Allocations and Development Management policies adopted 2012.

6. PL01 (Plans Listing)

**Informative Notes**

1. IN02 (Compliance With Outline Planning Permission)
2. IN72 (Working with applicants: Approval)

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<b>ITEM NO</b>	02
<b>APPLICATION NO.</b>	APP/17/01498/P
<b>APPLICATION TYPE</b>	Outline
<b>SITE ADDRESS</b>	Pavilion, Whitecliff Road Car Park, Whitecliff Road, BH14 8DB
<b>PROPOSALS</b>	Demolish the existing pavilion and create a replacement pavilion over two storeys.
<b>REGISTERED APPLICANT AGENT</b>	20 September, 2017 Elite Skills Arena Ltd Tigers Eye Architecture
<b>WARD</b>	Parkstone
<b>CASE OFFICER</b>	Eleanor Godesar

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## **INTRODUCTION**

This application is brought before committee at the request of Cllr Challinor.

Recommendation for **Grant with Conditions**

## **THE PROPOSAL**

Demolish the existing pavilion and create a replacement two-storey pavilion.

## **MAIN ISSUES**

The principal issues for consideration in this case relate to:

- Impact on the setting and character of the site
- Impact on residential amenities
- Highways
- Trees
- Future flooding

## **SITE DESCRIPTION**

The application site is the toilet and changing room pavilion in Whitecliff Harbourside Park. The pavilion is located west of the car park and is partly screened from Whitecliff Road to the north by trees and shrubs. The application site is flat ground and is at a similar level to Whitecliff Road and the 2-storey homes on the north side of the road. Whitecliff Road starts to rise above the level of the park further to the west.

Whitecliff Waterside Park is 'Public Open Space'.

## RELEVANT PLANNING HISTORY

**2017:** Alterations and extension to existing building to improve current sports changing facilities, public toilets and café. **Approved** (APP/17/01146/P)

## PRE-APPLICATION ADVICE

None

## COMMUNITY CONSULTATION

None

## CONSULTATIONS

Natural England: no objection subject to appropriate mitigation being secured

Environmental Services: no objection, subject to a condition requiring investigation of contamination issues

Sport England: no objection as it meets their planning policy exception; however, they do not support the application due to the poor design of the changing rooms

Transport Policy Manager: Defer for amended plans. The existing service and access road would be prejudiced by the proposals and the turning provision for vehicles would be lost. The hardstanding should be extended to provide a turning area for delivery vehicles. There is capacity in the existing car park and there is currently unrestricted on-street parking in surrounding roads.

## REPRESENTATIONS

Representations have been received which raise the following concerns:

- Unsympathetic and out of keeping with the area
- Increased noise and traffic
- No car parking provided for staff or users
- Designated public open space and Fields in Trust status
- Commercial facility not suitable in this location
- Wider selection of activities would be more welcome than just football
- Loss of privacy to nearby properties
- Inappropriate scale and mass

## PLANNING CONSIDERATIONS

## POLICY AND GUIDANCE

## STRATEGIC CONTEXT

National Planning Policy Framework (Adopted March 2012)

## LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (Adopted February 2009)

PCS23 Local Distinctiveness  
PCS25 Self-Reliant Communities  
PCS34 Flood Risk

Poole Site Specific Allocations & Development Management Policies DPD (Adopted April 2012)

DM1 Design  
DM2 Heritage Assets  
DM7 Accessibility and Safety  
DM8 Demand Management  
DM9 Green Infrastructure and Biodiversity

Supplementary Planning Document

SPD1 Parking & Highway Layout in Development

**PLANNING JUDGEMENT**

The application is for outline planning permission with all matters reserved. As such, the application seeks approval only for the principle of replacing the existing pavilion with a two-storey building accommodating leisure and café uses.

Indicative floor plans and elevations submitted in support of the application show a contemporary 2-storey building with the ground floor accommodating a café, changing rooms and toilets and the first floor providing a football focused indoor facility. The existing building is approximately 5.2m high and the proposal building is indicated as being 6m high. The indicated increase in height and massing would be acceptable within the context of the park and streetscene. All details of the building, both internal and external, would nevertheless be matters to be addressed by subsequent applications.

The recent outline planning permission accepted the principle of extending the existing pavilion to provide space for a café, new changing rooms and refurbished toilets which would be accessible to the public. The current proposal would incorporate all of these elements.

The football-orientated indoor facility would provide a use which would be in keeping with the existing leisure uses of the park. It would be an indoor commercial leisure facility but, subject to appropriate design, it would not detract from the existing character of the park.

Representations have raised concern about the commercial element of the football facility. However, cafés and other 'pay and play' leisure facilities are typically already present in Poole's principal parks and form an important component of their recreational role.

Policy DM9 does not permit proposals which would result in the loss of 'public open space'.

The proposal would not result in a loss in any such loss given its continued leisure use. The café and the football orientated training facility would enhance facilities currently provided at Whitecliff Park.

The proposal would utilise the existing service access off Whitecliff Road which currently has a barrier to prevent unauthorised access and use and which incorporates provisions for emergency vehicle access. These should be retained and could be secured by condition.

The proposed building would extend forward of the existing building onto the existing driveway and potential turning provision for delivery vehicles would be lost. To prevent delivery vehicles reversing up to the access, a turning area could be created to the west of the building. In addition new pedestrian pathways would be required to serve the building. These, together with appropriate bicycle parking can be secured by condition.

Neighbours have raised concern about amenity. With separation distances from the closest neighbours of at least 30m, daylight; outlook; and privacy would be preserved.

Sport England's representation raises concerns about the design of the changing rooms; lack of toilets in the changing rooms; lack of clarity about whether disabled toilets are provided; and disability access. These are nevertheless all matters that would be resolved at reserved matters stage.

Four trees to the north of the building would be removed to accommodate the building. These trees are not protected and their loss is acceptable subject to replacements being secured.

The existing pavilion is located within future flood zones. The proposal has a fall back position of the existing pavilion which has the same level of flood vulnerability as the proposal. The café; changing rooms; toilets; and leisure facility are 'less vulnerable' uses which are appropriate development in flood zones. The Borough of Poole Local Flood Risk Standing Advice requires that the proposal has ground floor levels intended to reduce the risk of flooding and provide flood resilience and emergency escape measures. Appropriate measures should be secured at reserve matters stage.

## **CONCLUSION**

The principle of replacing the existing building with a two storey building with leisure and café uses is acceptable. Detailed design matter, including materials; clarification of the access and use of the driveway; cycle parking; layout of the changing rooms, toilets and café; and flood mitigation measures would be considered at reserve matters stage.

## **RECOMMENDATION**

It is therefore recommended that this application be **Granted with Conditions** subject to the following:

### **Conditions**

#### **1. OL010 (Submission of Reserved Matters)**

No development shall commence on site until details of the access, layout, scale

and external appearance of the development, landscaping of the site and flood protection and resilience measures (in respect of which approval is expressly reserved and are hereinafter called 'the reserved matters') have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason -

The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Part 3 of the Town and Country Planning (General Development Procedure) Order 2015.

2. OL080 (Submission of Reserved Matters (3 Years))

3. PL02 (Plans Listing - Outline)

4. RC070 (Restriction on Hours of Use/Deliveries)

The use hereby permitted shall not operate and no deliveries taken at or despatched from the site otherwise than between 8:00 and 18:00 on Mondays to Saturdays inclusive, and 9:00 and 17:00 on Sundays, Bank and other national Public Holidays.

Reason -

In the interest of the amenities of adjoining and nearby residential properties and in accordance with Policy DM1(v) of the Site Specific Allocations & Development Management Policies (April 2012).

6. HW030 (Specific Access (Entry/Exit Only))

The access, as shaded in pink on the approved plan, shall be used for the purpose of deliveries only and appropriate signs and markings shall be provided, the details of which shall be submitted to, and approved in writing by, the Local Planning Authority, and implemented concurrently with the development and thereafter retained.

Reason -

In the interests of highway safety and in accordance with Policy PCS15 of the Poole Core Strategy (February 2009), and DM7 and DM8 of the Site Specific Allocations & Development Management DPD Policies (April 2012), and guidance contained in Section 4 Promoting Sustainable Transport in the National Planning Policy Framework (March 2012).

7. TR080 (Replanting of Specified Number of Trees) (5 trees)

### **Informative Notes**

1. IN72 (Working with applicants: Approval)

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**ITEM NO** 03  
**APPLICATION NO.** APP/17/01246/F  
**APPLICATION TYPE** Full  
**SITE ADDRESS** 66 Danecourt Road, Poole, BH14 0PQ

**PROPOSALS** Variation of condition 2 of Planning Permission APP/16/00121/F as described in that Description of Development to replace plans 8453/203 rev c & 8453/204 rev c with 1013RE-100;101;102;103;104;105 to reflect as built location of buildings, reduction in size, roof lights on side elevations, internal layout and materials.

**REGISTERED APPLICANT AGENT** 23 August, 2017  
Crosstown Ltd  
DOT Architecture

**WARD** Parkstone

**CASE OFFICER** James Gilfillan

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## **INTRODUCTION**

This application is brought before committee at the request of Cllr Challinor because of the history of the site; the series of applications; and significant deviations from the approved scheme.

Recommendation for **Grant With CIL Contribution**

## **THE PROPOSAL**

Variation of condition 2 of Planning Permission APP/16/00121/F to replace approved plans '8453/203 rev c' and '8453/204 rev c' with 1013RE-100; 101; 102; 103; 104; and 105 to reflect the 'as built' location of the buildings; a reduction in size; roof lights on side elevations; and changes to the internal layout and materials.

## **MAIN ISSUES**

The principal issues for consideration in this case relate to the impact on the amenity of neighbours.

## **SITE DESCRIPTION**

The site is at the rear of no.66 Danecourt Road and is now occupied by two pairs of semi-detached houses, in various stages of construction.

## **RELEVANT PLANNING HISTORY**

**2014:** Sever land and erect three 4-bed detached houses with integral garages. **Refused** due to its cramped layout; parking and access in close proximity to neighbouring properties; unneighbourly dominance of built form in close proximity to properties in North Road; all of which would result in the over development of the site harmful to its immediate surroundings and the amenities of adjoining properties as well as harmful to the reasonable enjoyment of

the dwellings proposed (APP/14/00024/F).

This decision was the subject of an appeal which was **Dismissed**. The Inspector noted that a '2-house scheme' had already been allowed (see below), but opined "the consequence, of the 3-house scheme, is a development with substantial scale and mass that unacceptably fills and dominates the former space behind 64-66 Danecourt Road". He concluded that the arrangement of the buildings and their close spacing would not be acceptable and would harm the character of the area. Furthermore due to the proximity to the rear gardens of North Road properties, the scheme would have an unacceptable impact on the living conditions of those residents due to the loss of outlook.

**2015:** Sever land and erect two 4-bed detached houses with integral garage and 1 detached garage. **Approved** (APP/14/01115)

**2016:** Sever land and erect four 3-bed semi-detached houses with parking. **Approved** (APP/16/00121/F)

### **PRE-APPLICATION ADVICE**

None

### **COMMUNITY CONSULTATION**

None

### **CONSULTATIONS**

The Transport Policy Manager: Supports the scheme for delivering sufficient parking with manoeuvring and access that would preserve highway safety.

### **REPRESENTATIONS**

Letters of representation have been received which raise the following concerns:

- overlooking and loss of privacy;
- impact on amenity;
- the developer has ignored the approved plans;
- the position of parked cars under trees;
- the properties are being marketed as 4-bed houses rather than the 3-bed houses as approved.

### **PLANNING CONSIDERATIONS**

### **POLICY AND GUIDANCE**

#### STRATEGIC CONTEXT

National Planning Policy Framework (Adopted March 2012)  
Dorset Heathlands Planning Framework 2015-2020 SPD

#### LOCAL CONTEXT

The following policies are listed as applying to this application.

#### Poole Core Strategy (2009)

PCS05 Broad Locations for Residential Development  
PCS15 Access and Movement

PCS23	Local Distinctiveness
PCS28	Dorset Heaths International Designations
PCS31	Sustainable Energy - General
PCS32	Sustainable Homes

Poole Site Specific Allocations & Development Management Policies DPD (2012)

DM1	Design
DM7	Accessibility and Safety
DM8	Demand Management
DM9	Green Infrastructure and Biodiversity

**PLANNING JUDGEMENT**

The application seeks to vary the list of approved plans to reflect the 'as-built' size and siting of the houses and the arrangement of windows.

A key factor in dismissing the appeal scheme in 2014 was the proximity of the proposed houses to the rear boundaries of adjacent homes in North Road, resulting in a detrimental overbearing impact on the amenity of these neighbours. The subsequent schemes increased the separation distance to reduce this impact to an acceptable degree. The 'as-built' layout sits between the acceptable and unacceptable siting of the previously approved and dismissed schemes.

Due to the extent of works undertaken it is now possible to better appreciate the relationship across the boundary and the effect of the change in ground levels down from the finished floor levels of the North Road houses to the houses on the application site.

It is clear that the scheme, most particularly because of the house nearest to the boundary, has changed the outlook from the rear of the North Road properties, however the difference in impact between the approved 4m. inset from the boundary and the 'as-built' 3.3m inset, is not substantial and has not given rise to a materially greater impact on the amenities of the neighbours.

The 'as built' houses are marginally smaller than the approved houses. This has had no new impact and they are not readily perceived as being different compared to the approved scheme.

The changes to the internal layout, which include the relocation of the staircase, would have no impact outside of the houses. The changes to the roof design are also minor and extend only to raising the central flat roof element above the apex of the front and rear gables. This would be visible from adjacent homes but would not materially alter or change the acceptability of the size and scale of the scheme.

The approved roof lights would serve a bedroom in the roof space and have a cill height of 1.75m above floor level. As built, one rooflight would serve this bedroom and the second would serve the landing at the top of the relocated staircase. Their cill height is 1.5m above floor level.

The main concern with this change relates to 'Unit 1' which is adjacent to the rear gardens of homes in North Road. Units 3 and 2 would look towards each other and unit 4 towards the trees on the north western edge of the site where it abuts the rear garden of 62 Danecourt

Road. Because of the change in ground levels between units 3 and 2 there would be limited impact between the two houses and, due to the trees at the edge of the site; the size of the adjacent garden; and the orientation and separation distance, unit 4 would not materially harm the privacy of these neighbours.

The lower sills of the windows installed in the roof slope of 'Unit 1' will afford increased views towards the neighbouring homes in North Road. The separation distance remains sufficient to prevent overlooking into the rear of those houses, but there would be increased overlooking across their rear gardens. Because of the various raised terraces; first floor windows; and balconies at the rear of no's 91-99 North Road, there is already mutual overlooking between them.

The rooflights are a secondary window to a bedroom and to a landing and requiring them to be obscured glazed would not prejudice the amenity or outlook of the occupier of 'Unit 1', but would better preserve the privacy of the residents of the adjoining homes in North Road. This could be secured by condition. It would not however be either reasonable or necessary to also require the windows to be fixed shut. If these windows were fixed shut as well as obscure glazed they would satisfy the Permitted Development requirements for adding windows to the side elevation of houses.

The parking spaces for the four houses have moved slightly, reducing some landscape opportunities around the edge of the site, but improving the space available for manoeuvring vehicles on the site, which is beneficial given the tandem parking layout.

In all other respects the scheme preserves the acceptable position of the approved scheme and all other conditions imposed by permission APP/16/00121/F remain relevant and necessary to make the scheme acceptable. Condition no.5 should be amended to reflect the changes to the plot numbers of the houses on the amended plans however its intent is identical to the existing condition.

## **INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS**

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings may be acceptable subject to appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution will be taken from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. The charge is based on the cost of delivering SAMM in Poole and is £355 per additional house / £242 per additional flat (plus admin fee). This proposal requires such a contribution.

The applicant has submitted a Section 111 Agreement and paid the contribution of £1,420.00 (plus admin fee).

The proposal therefore accords with the provisions of Core Strategy Policies PCS15, PCS28, PCS 36 and PCS37; DPD Policies DM9, IN1 and IN2; and the Dorset Heathlands SPD.

## **FINANCIAL CONSIDERATIONS**

This application currently falls into CIL Zone **C** which has a base CIL chargeable rate of **£75** per square metre of chargeable residential floorspace. The precise CIL liability in respect of these proposals will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

The CIL liability will be the product of the **chargeable residential floorspace** and the base **CIL chargeable rate** indexed against the BCIS All-in Tender Price Index for November 2012.

If this development is granted permission and the dwellings built, the Council might also be eligible to receive government grant under the New Homes Bonus.

Local financial considerations are material to the decision on this application. It is a matter for the decision maker to conclude how much weight should be attached to them.

## **CONCLUSION**

Despite its departure from the approved plans, the scheme 'as built' would not have any greater impact on the character of the area or the amenities of adjacent residents than the previously approved scheme. The application is therefore recommended for approval.

## **RECOMMENDATION**

It is therefore recommended that this application be **Granted With CIL Contribution**

### **Conditions**

1. GN151 (Variation link to previous condition)

Planning permission is granted to sever land and erect 4 No 3 bed semi detached houses with parking at 66 Danecourt Road in accordance with the terms of the application ref:16/00121, dated 22/03/16, without compliance with Condition no's 2 and 5 previously imposed on planning permission ref:16/00121 but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect and subject to the following new condition:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site, Block & Location Plan and Streetscene Ref:1016RE.100 rev received Nov 2017

Floor Plans (Units 1 & 2) Ref:1016RE.102 received 22/08/17

Elevations (Units 1 & 2) Ref:1016RE.103 received 22/08/17

Floor Plans (Units 3 & 4) Ref:1016RE.104 received 22/08/17

Elevations (Units 3 & 4) Ref:1016RE.105 received 22/08/17

Reason -

For the avoidance of doubt and in the interests of proper planning.

5. Both in the first instance and upon all subsequent occasions, the side window to the front bedroom on the first floor of unit 1, as indicated on the approved plans shall be glazed with obscure glass in a form sufficient to prevent external views and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of opening.

Reason -

To protect the amenity and privacy of the adjoining properties and in accordance with Policy DM1(v) of the Site Specific Allocations & Development Management Policies (April 2012).

#### 12. GN090 (Obscure Glazing of Windows)

Both in the first instance and upon all subsequent occasions, the rooflight windows in the side roofslope of Unit 1 as shown on the approved plans shall be glazed with obscure glass in a form sufficient to prevent external views.

Reason -

To protect the amenity and privacy of the adjoining properties and in accordance with Policy DM1(v) of the Site Specific Allocations & Development Management Policies (April 2012).

#### **Informative Notes**

1. IN72 (Working with applicants: Approval)
2. IN74 (Community Infrastructure Levy - Approval)
3. IN81 (SAMM Approval)

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<b>ITEM NO</b>	04
<b>APPLICATION NO.</b>	APP/17/01084/F
<b>APPLICATION TYPE</b>	Full
<b>SITE ADDRESS</b>	19 Canford Cliffs Road, Poole, BH13 7AG
<b>PROPOSALS</b>	Demolition of existing detached garage, sever land to erect a detached dwelling and creation of a new vehicular access off Canford Cliffs Road.
<b>REGISTERED APPLICANT AGENT</b>	26 July, 2017 Mrs Mackenzie Pure Town Planning
<b>WARD</b>	Canford Cliffs
<b>CONSERVATION AREA</b>	Branksome Park and Chine Gardens
<b>CASE OFFICER</b>	Sarah Scannell

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## INTRODUCTION

This application is brought before committee at the applicant's request and with the agreement of Councillor Pawlowski.

Recommendation for **Refuse**

## THE PROPOSAL

Demolition of existing detached garage, sever land to erect a detached dwelling and creation of a new vehicular access off Canford Cliffs Road.

## MAIN ISSUES

The principal issues for consideration in this case are:

- the character and appearance of the parent property and Branksome Park Conservation Area;
- residential amenity;
- protected trees;
- parking and highway safety;
- biodiversity;
- renewable energy; and
- Section 106 Agreement/ CIL compliance/ SAMM.

## SITE DESCRIPTION

The application property is situated east of Canford Cliffs Road and within the Branksome Park Conservation Area. The plot is large, extending approximately 130m to the rear boundary. The site is largely obscured from the highway by planting, with shrubs and

mature trees along the boundaries and in the rear garden. These and trees on adjoining sites are protected by a woodland TPO to the rear and individual TPOs. The existing house is a mid-20th Century two-storey building set back more than 20m from the highway. It is not listed or locally listed. It is traditional in appearance with a pitched roof and a brick and render finish and a conservatory and first floor terrace to the rear. There is gated vehicular access and separate pedestrian access off Canford Cliffs Road which serve a detached double garage and parking area to the south of the house. Levels fall gradually from west to east and north to south.

The area is wholly residential in character and plots on the east side of Canford Cliffs Road are varied but large; verdant; and predominantly occupied by two-storey 'traditional' houses. The grain of development to the west side of Canford Cliffs Road (outside the conservation area) is markedly finer comprising significantly smaller houses in markedly smaller plots.

There is an Article 4 Direction restricting highway boundary treatments to some properties in the conservation area including No.19 and the adjoining plots.

## **RELEVANT PLANNING HISTORY**

### 19 Canford Cliffs Road

**2015:** Loft conversion and rear dormers to the roof. **Approved** (APP/15/00407/F).

**April 2017:** Tree works consent granted under TP/17/00188/X to fell T1, T2 - Evergreen Oak, T3 - Cherry, T4 - Leylandii, T5 - Sweet Chestnut - Fell. T6 -Holly. Trees not covered by the TPO and not worthy of protection.

### 2 Western Avenue

**July 2017:** Plot severance and erection of detached dwelling with associated access and parking (APP/17/00405/F). The proposed house would have fronted Canford Cliffs Road approximately 200m south of the current application site and within the same character area of the Conservation Area. The application was **Refused** for the following reasons:

1. The proposals do not assemble sufficient land to accommodate a density and layout of development which is characteristic of the Branksome Park Conservation Area by virtue of the uncharacteristic size of the plot and dwelling. The proposals would have an uncharacteristic level of activity associated with such a small heavily constrained site which would not preserve or enhance the character and appearance of the Conservation Area and streetscene. Furthermore, the loss of trees and new access onto Canford Cliffs Road would open up views into the site and result in the erosion of characteristic tree and landscape coverage within the streetscene. The proposal is therefore contrary to Policy PCS05 and PCS23 of the Poole Core Strategy adopted 2009, and DM2 of the Poole Site Specific Allocations and Development Management Policies adopted 2012.
2. The proposals would result in future pressure to prune and/or fell trees due to the creation of additional amenity space around the dwelling and perceived harm from falling debris and detritus within the site harmful to the character and appearance of the streetscene and Branksome Park Conservation Area. The proposals are

therefore contrary to Policy PCS5 and PCS23 of the Poole Core Strategy adopted 2009, and DM1 and DM2 of the Poole Site Specific Allocations and Development Management Policies adopted 2012.

### 11 Leicester Road

**June 2017:** Erect one 5-bed and one 4-bed detached house. **Approved** (APP/17/00449/F). This site is to the east of the application site. The parent property was demolished and access would be shared. The application site is in a different character area of the Conservation Area.

**January 2017:** Erect 2 No. 4 bedroom detached houses. **Approved** (APP/16/01707/F).

### **COMMUNITY CONSULTATION**

None.

### **CONSULTATIONS**

Transportation Policy Manager: Supports subject to provision and retention of parking and turning spaces; visibility splays; and lowering of kerb.

### **REPRESENTATIONS**

None.

### **PLANNING CONSIDERATIONS**

### **POLICY AND GUIDANCE**

#### STRATEGIC CONTEXT

National Planning Policy Framework (Adopted March 2012)

National Planning Practice Guidance (NPPG) (March 2014)

#### LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (Adopted February 2009)

PCS05 Broad Locations for Residential Development  
PCS08 Lifetime Homes  
PCS15 Access and Movement  
PCS23 Local Distinctiveness  
PCS28 Dorset Heaths International Designations  
PCS31 Sustainable Energy - General  
PCS32 Sustainable Homes  
PCS35 Energy and Resources Statements

## PCS37 The Role of Developer Contributions in Shaping Places

### Poole Site Specific Allocations and Development Management Policies DPD (Adopted April 2012)

DM1 Design  
DM2 Heritage Assets  
DM7 Accessibility and Safety  
DM8 Demand Management  
DM9 Green Infrastructure and Biodiversity

### Supplementary Planning Document

Parking and Highway Layout in Development (2011)  
The Dorset Heathlands Planning Framework 2015-2020  
Branksome Park Conservation Area Character Appraisal and Management Plan (2006)

## **PLANNING JUDGEMENT**

### Impact on the character and appearance of the application property and the conservation area

Policy PCS 5 (iii) of the Poole Core Strategy states that residential proposals for plot severance will only be permitted where sufficient land can be assembled to accommodate a type, scale, density and layout of development which preserves or enhances the area's residential character and does not harm the amenities of local residents. This stance is reinforced by Policy PCS23 of the Core Strategy which also seeks to ensure that development exhibits a high standard of design that will complement or enhance Poole's character and local distinctiveness by respecting the setting and character of the site, surrounding area and adjoining buildings by virtue of function, siting, landscaping and amenity space, scale, density, massing, height, design details, materials and appearance.

Policy DM2 states that proposals affecting heritage assets will be expected to, inter alia, result in an asset that is enhanced, better revealed and/or restored.

The NPPF states that:

- LPAs should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which would not be outweighed by the proposal's economic, social and environmental benefits);
- when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation;
- in determining planning applications, LPAs should take account of the desirability of new development making a positive contribution to local character and distinctiveness; and
- where a proposed development would lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial

public benefits that outweigh that harm or loss.

The Branksome Park Conservation Area Character Appraisal and Management Plan (2006) (CACAMP) states in respect of the existing character:

- plots surrounding the conservation area are generally significantly smaller with planting being far less dominant. This contrast is most evident along Canford Cliffs Road where one side is within the conservation area and the other side isn't. This highlights the generous plot sizes and large areas devoted to trees and landscaping within the Conservation Area.
- house ages vary with a significant proportion dating from the inter-war period. There are no architectural styles preceding the origin of the first buildings: mixture of Victorian, Arts and Crafts, International Modern/ 1930's Art Deco, contemporary post-modern.
- some replacement dwellings have failed to reflect the character of existing buildings in the area.

The CACAMP identifies adjoining dwellings at No.17, 21, 23 and 25 as 'category B' key buildings of group value. Neither these nor the application property are listed/ locally listed.

In respect of new development the CACAMP advises:

- where redevelopment or extensions are proposed the intention should be to maintain existing gaps between buildings and their boundaries. In general, as great a distance as possible to the nearest neighbour should be maintained. Care should be taken to avoid redevelopment or extensions which would visually associate the mass of any one building with another, on the same or adjoining plots as this would adversely affect the spaciousness of the area.
- all proposals should seek to respect and maintain the current dominance of trees and other vegetation. This fine balance could very easily be upset by new developments. New buildings should be sited sufficiently far from existing trees to avoid future demands for their subsequent removal.
- where trees are removed as part of a planning permission, replacement trees of a similar character will be required.
- replacement dwellings should reflect the scale and character of the surrounding pattern of development in the conservation area.
- no building style should pre-date the 1860s e.g. mock Georgian architecture would be unacceptable. Contemporary architectural styles are appropriate where they would contribute to the traditional mixed development of the area and respect the character and appearance of the conservation area.
- generally, where new buildings are proposed, these should be constructed of a warm coloured red brick or multi-stock brick, an appropriate render finish, or a mixture of the two. Plain clay tiles or slates are appropriate for roofs. The restrained use of rustic timber boarding would be acceptable in certain circumstances on gables or ancillary buildings.

There are no recent examples of severance on Canford Cliffs Road within the Conservation Area however there are some examples of replacement dwellings. A group of dwellings (odd numbers 3-15) at the northern end of Canford Cliffs Road and also within the conservation area have notably narrower plots; are more elevated; and have a more

uniform and less spacious pattern of development than generally prevails along the eastern side of Canford Cliffs Road. The proposed development would result in both a new plot similar in width to these uncharacteristically narrow plots. The creation of a second vehicular access would further highlight the presence of two narrow plots. The applicant has offered to omit the attached garage to the new dwelling to increase the gap between the dwellings and whilst this could provide greater opportunity for a planted boundary between the houses, there would still be inadequate space for trees to mature without compromising the amenity of occupants of both properties. Notwithstanding the set back from the highway and the retention of much of the vegetation along the front of the site, the proposed house would be visible in the street scene in relatively close proximity to the existing house and would undermine the sense of spaciousness and dominance of vegetation which the adopted CACAMP explicitly seeks to protect.

The scale, appearance and layout of dwellings in this part of the Conservation Area is varied and includes some contemporary architecture. While of a relatively traditional form, the dwelling's narrow width; timber-clad finish; and high proportion of glazing would be incongruous in the street scene and does not reflect the specific guidance of the CACAMP.

The proposed development would not be unlike some recent developments on the west side of the road and this would blur the Conservation Area boundary defining the two markedly different forms of plot layout and architectural styles that exist on either side of the road. That the 'missing' plot no 21 was not developed does not in itself justify the proposed plot subdivision. The undeveloped gap south of no 19 is now an integral part of the character of the area and adds to its spaciousness and attractiveness. The design has little relationship to the existing house and the integrated flat-roofed garage, which would be clearly visible from the road, would give it a mundane appearance with no distinguishing architectural merit. The close proximity to No 19 further diminishes its setting and character.

While the existing plot is one of the larger plots in the immediate area, the proposal does not assemble sufficient land to accommodate a type; scale; density; and layout of development which would preserve or enhance the character of the area or enhance, better reveal or restore the conservation area contrary to Policies PC5 and DM2. This harm would not be outweighed by the public benefits associated with one additional dwelling contrary to the NPPF.

### Residential amenity

Policy DM1 of the Development Management Policies DPD states that the development should not result in overbearing or oppressive development, loss of light to habitable rooms or loss of privacy to the detriment of neighbouring amenity. The NPPF states that LPAs should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

There are several clear-glazed windows on the south-facing side gable of the parent property at ground and first floor level. These are all secondary windows. While there would therefore be some loss of light and outlook to the parent property, it would not be materially harmful to its occupants' amenity. There would be rooflights on the north elevation of the proposed dwelling. These would be high level with the exception of a landing window which could be obscure glazed to prevent potential overlooking towards the parent property.

It is likely that the first floor windows on the side elevation of the parent property and its rear terrace would result in mutually overlooking to and from the patio area of the severed plot. This is not typically an issue in this area due to the presence of dense boundary planting. This issue would be mitigated to an extent by the proposed dwelling layout and distance to the terrace and, if the scheme were acceptable in all other respects a privacy screen to the terrace could be secured by condition.

All primary habitable rooms in the parent and proposed dwelling would have sufficient outlook and light from east and west-facing windows.

Much of the proposed dwelling would be visible from No.23 considering the gaps in tree planting and high canopies. Notwithstanding that, given the proposed dwelling would be 5m from the boundary, sited to the north, that all windows above ground floor level would be high level or obscure glazed, the extent of the plot at No.23 and the wall-to-wall separation distance of over 20m, there would be no material harm to the amenity of future occupants or neighbouring amenity through loss of privacy/ perceived loss of privacy, overbearing appearance or overshadowing.

### Trees

The application is supported by an Arboricultural Method Statement and Tree Protection Plan. Seven TPO trees would be felled because of their poor condition; their impact on surrounding trees; to improve visibility splays; and to create the access. Management of deadwood and crown lifting is also proposed. The trees to be felled are all category B and C. The proposed driveway and parking areas would encroach into the RPAs of multiple trees. A cellular confinement layer and protective fencing is therefore proposed in these areas

There is no objection in principle from the Arboricultural Officer, who considers that the trees to be felled are low value. Replacement planting could be secured by condition. If acceptable in all other respects, the loss of a Horse Chestnut on the neighbouring plot would require a separate tree works consent application as it would not be necessary to facilitate the development. If the scheme were acceptable in all other respects, a revised AMS could be sought by condition.

### Parking and highway safety

The proposed development would provide sufficient onsite parking and turning for both properties. The Transportation Policy Manager supports the proposal subject to the provision of pedestrian visibility splays and the provision and retention of access and parking.

### Biodiversity

The application is not supported by a habitat survey. The development would necessitate the removal of shrubs to the rear of the existing garage to be demolished. This would potentially result in harm to nesting birds and other species or their habitats however, considering much of the dwelling site is already hard surfaced and occupied by the garage, in addition to the layer of protection afforded by the Wildlife and Countryside Act 1981, a survey would not be proportionate in this case.

## Renewable Energy

The Energy and Resources Statement submitted as part of this application sets out how the proposed development could comply with the requirements of Policies PCS31, PCS32 and PCS35 to achieve 10% of the predicted energy needs for the proposed dwellings using solar PV and a heat pump. Being a new build, it would be readily possible to achieve an energy efficient and sustainable development. This can be secured by the imposition of an appropriate condition.

## **INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS**

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings may be acceptable subject to appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution will be taken from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. The charge is based on the cost of delivering SAMM in Poole and is £355 per additional house / £242 per additional flat (plus admin fee). This proposal requires such a contribution.

The applicant has submitted a draft heads of terms indicating a willingness to make the required SAMM payment but no payment has been secured or made.

The proposal is therefore contrary to the provisions of Core Strategy Policies PCS15, PCS28, PCS 36 and PCS37; DPD Policies DM9, IN1 and IN2; and the Dorset Heathlands SPD.

## **FINANCIAL CONSIDERATIONS**

This application currently falls into CIL Zone A which has a base CIL chargeable rate of £150 per square metre of chargeable residential floorspace. The precise CIL liability in respect of these proposals will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

The CIL liability will be the product of the chargeable residential floorspace and the base CIL chargeable rate indexed against the BCIS All-in Tender Price Index for November 2012.

If this development is granted permission and the dwellings built, the Council might also be eligible to receive government grant under the New Homes Bonus.

Local financial considerations are material to the decision on this application. It is a matter

for the decision maker to conclude how much weight should be attached to them.

The planning merits of the scheme stand alone, and whilst these potential financial receipts are of obvious benefit to the Council, they would not outweigh the harm identified.

## **CONCLUSION**

Owing to dwelling's scale, materials, and level of glazing; the narrow width of the proposed plots; and the erosion of the sense of spaciousness and dominance of vegetation, the proposal would fail to assemble sufficient land to accommodate a type, scale, density and layout of development which would preserve or enhance the character of the area or enhance, better reveal or restore the conservation area. In addition, the failure to mitigate the impact on protected heathland habitats in Dorset would cause unacceptable harm to those features. The proposal is therefore contrary to the adopted Branksome Park Conservation Area Character Appraisal and Management Plan, Policies PCS5, PCS23 and PCS28 of the Core Strategy, DM2 and DM9 of the Development Management Policies DPD and the NPPF. The limited economic, social and environmental benefits associated with the provision of an additional dwelling on the site would not outweigh the identified harm and the scheme is recommended for refusal.

## **RECOMMENDATION**

It is therefore recommended that this application be **Refused** for the following reasons:

### **Reasons**

#### 1. RR000 (Non Standard Reason)

Owing to dwelling's scale, materials and level of glazing; the narrow width of the proposed plots; and the erosion of the sense of spaciousness and dominance of vegetation, the proposal would fail to assemble sufficient land to accommodate a type, scale, density and layout of development which would preserve or enhance the character of the area or enhance, better reveal or restore the conservation area contrary to the adopted Branksome Park Conservation Area Character Appraisal and Management Plan, Policies PCS5, PCS23 of the Core Strategy, DM2 of the Development Management Policies DPD and the NPPF. This harm would not be outweighed by the limited economic, social and environmental benefits associated with the provision of an additional dwelling on the site.

#### 2. RR001 (SAMM)

### **Informative Notes**

#### 1. IN73 (Working with applicants: Refusal)

#### 2. IN76 (List of Plans Refused)

#### 3. IN80 (SAMM Refusal)