

# Notice of Planning Committee

Date: Thursday, 18 November 2021 at 9.30 am

Venue: Committee Suite, Civic Centre, Poole BH15 2RU



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## Membership:

### Chairman:

Cllr D Kelsey

### Vice Chairman:

Cllr T Johnson

Cllr S Baron  
Cllr S Bartlett  
Cllr S Bull  
Cllr M Davies  
Cllr B Dion

Cllr G Farquhar  
Cllr P R A Hall  
Cllr P Hilliard  
Cllr M Le Poidevin  
Cllr S McCormack

Cllr T O'Neill  
Cllr A M Sibley  
Cllr T Trent

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All Members of the Planning Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MIId=4696>

If you would like any further information on the items to be considered at the meeting please contact: Chris Harrod on 01202 096660 or email [democratic.services@bcpCouncil.gov.uk](mailto:democratic.services@bcpCouncil.gov.uk)

Press enquiries should be directed to the Press Office: Tel: 01202 118686 or email [press.office@bcpCouncil.gov.uk](mailto:press.office@bcpCouncil.gov.uk)

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](https://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
**CHIEF EXECUTIVE**

10 November 2021



Available online and  
on the Modern.gov  
app



## Maintaining and promoting high standards of conduct

### Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests

Do any matters being discussed at the meeting directly relate to your registered interests?

Disclosable  
Pecuniary Interest

Yes

Declare the  
nature of the  
interest

Do NOT  
participate in  
the item at the  
meeting. Do  
NOT speak or  
vote on the  
item EXCEPT  
where you hold  
a dispensation

You must leave  
the room  
during the  
debate unless  
you hold a  
dispensation

Other Registerable  
Interest

Yes

Declare the  
nature of the  
interest

You may speak  
on the matter  
ONLY if  
members of the  
public are also  
allowed to  
speak at the  
meeting

Otherwise, do  
NOT speak or  
vote on the  
matter and  
leave the room  
during the  
debate unless  
you hold a  
dispensation

No

Does the matter **directly** relate to your  
financial interest or well-being or those  
of a relative or close associate?

Yes

You must disclose the interest.

Does the matter affect your financial  
interest or well-being:  
(a) to a greater extent than it affects the  
financial interests of the majority of  
inhabitants of the ward affected by  
the decision and;  
(b) a reasonable member of the public  
knowing all the facts would believe  
that it would affect your view of the  
wider public interest

Yes

You may speak on the matter ONLY  
if members of the public are also  
allowed to speak at the meeting

Otherwise, do NOT speak or vote on  
the matter and leave the room during  
the debate unless you hold a  
dispensation

What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

#### Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

#### Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer  
([susan.zeiss@bcpcouncil.gov.uk](mailto:susan.zeiss@bcpcouncil.gov.uk))

### Selflessness

Councillors should act solely in terms of the public interest

### Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

### Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

### Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

### Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

### Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

### Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

# AGENDA

Items to be considered while the meeting is open to the public

## 1. Apologies

To receive any apologies for absence from Members.

## 2. Substitute Members

To receive information on any changes in the membership of the Committee.

Note – When a member of a Committee is unable to attend a meeting of a Committee or Sub-Committee, the relevant Political Group Leader (or their nominated representative) may, by notice to the Monitoring Officer (or their nominated representative) prior to the meeting, appoint a substitute member from within the same Political Group. The contact details on the front of this agenda should be used for notifications.

## 3. Declarations of Interests

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

## 4. Confirmation of Minutes

7 - 12

To confirm and sign as a correct record the minutes of the Meeting held on 6 October 2021.

## 5. Public Issues

13 - 16

To receive any requests to speak on planning applications which the Planning Committee is considering at this meeting.

The deadline for the submission of requests to speak is 12 noon on Wednesday 17 November 2021. Requests should be submitted to Democratic Services using the contact details on the front of this agenda.

Further information about how public speaking is managed at meetings is contained in the Protocol for Public Speaking at Planning Committee which is included with this agenda sheet and is available on the Council's website at the following address:

<https://democracy.bcpccouncil.gov.uk/documents/s26378/Updated%20Protocol%20for%20Public%20Statements%20at%20Planning%20Committee%20-%20May%202021.pdf>

Note: The public speaking procedure is separate from and is not intended to replicate or replace the procedure for submitting a written representation on a planning application to the Planning Offices during the consultation period.

## 6. Schedule of Planning Applications

To consider the planning applications as listed below.

See planning application reports circulated at 6a-6d, as updated by the agenda addendum sheet to be published on 17 November 2021

Councillors are requested where possible to submit any technical questions on planning applications to the Case Officer at least 48 hours before the meeting to ensure this information can be provided at the meeting.

The running order in which planning applications will be considered will be as listed on this agenda sheet.

The Chairman retains discretion to propose an amendment to the running order at the meeting if it is considered expedient to do so.

Members will appreciate that the copy drawings attached to planning application reports are reduced from the applicants' original and detail, in some cases, may be difficult to read. To search for planning applications, the following link will take you to the main webpage where you can click on a tile (area) to search for an application. The link is:

<https://www.bcpCouncil.gov.uk/Planning-and-building-control/Search-and-comment-on-applications/Search-and-comment-on-applications.aspx>

Councillors are advised that if they wish to refer to specific drawings or plans which are not included in these papers, they should contact the Case Officer at least 48 hours before the meeting to ensure that these can be made available.

To view Local Plans, again, the following link will take you to the main webpage where you can click on a tile to view the local plan for that area. The link is:

<https://www.bcpCouncil.gov.uk/Planning-and-building-control/Planning-policy/Current-Local-Plans/Current-Local-Plan.aspx>

- |    |   |         |
|----|---|---------|
| a) | <p><b>215-225 Barrack Road, Christchurch, BH23 2AX</b></p> <p>(Commons)</p> <p>8/21/0100/FUL</p> <p>Demolition of existing buildings and erect 3 blocks of 38 flats with associated parking and access.</p> | 17 - 54 |
| b) | <p><b>40 Evelyn Road, Bournemouth, BH9 1SZ</b></p> <p>(Moordown)</p> <p>7-2021-13110-D</p> <p>Outline submission for the demolition of existing building and erection of a</p>                              | 55 - 80 |



	single and 2 storey block of five flats together with associated parking and access - Revised scheme	
c)	<b>Land R/O 91 The Grove, Christchurch, BH23 2EZ</b> (Commons)  8/20/1167/FUL	81 - 104
d)	Proposed 2 bedroom bungalow to the rear of existing property, with private garden, parking, turning and associated garage. <b>27 Vale Road, Poole, BH14 9AT</b> (Penn Hill)  APP/21/00661/F  Replacement of an existing extension, conservatory and car port with a two-storey side and rear extension.	105 - 122

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

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**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**PLANNING COMMITTEE**

Minutes of the Meeting held on 06 October 2021 at 9.30 am

Present:-

Cllr D Kelsey – Chairman

Cllr T Johnson – Vice-Chairman

Present: Cllr S Baron, Cllr D Borthwick (In place of Cllr B Dion),  
Cllr M F Brooke (In place of Cllr M Le Poidevin), Cllr S Bull,  
Cllr P R A Hall, Cllr P Hilliard, Cllr T O'Neill and Cllr A M Stribley

50. Apologies

Apologies were received from Cllr S Bartlett, Cllr M Davies, Cllr N Decent, Cllr B Dion, Cllr G Farquhar, Cllr M Le Poidevin, and Cllr S McCormack.

51. Substitute Members

Notice was received of the following substitute members for this meeting:

Cllr D Borthwick substituting for Cllr B Dion  
Cllr M Brooke substituting for Cllr M Le Poidevin

52. Declarations of Interests

In respect of the planning application for 63 Merriefield Road, Cllr M Brooke declared that one of the objectors making a public statement delivered leaflets for him. For transparency he would not take part in this item.

53. Public Issues

In accordance with paragraph 13 of the Public Speaking Protocol the Chairman exercised his discretion to allow a maximum of six statements from objectors and a maximum of six statements from applicants/supporters on the major planning application for the Quay Thistle, Quay Road, Poole. He also enabled members of the public to read out their statements in person via remote video link at the meeting if they so wished.

For all other planning applications on the agenda the standard provisions in the Protocol were applied.

54. Schedule of Planning Applications

The Committee considered planning application reports and the addendum sheet, copies of which had been circulated and which appear as Appendices A – F to these minutes in the Minute Book. The Committee considered the planning applications as set out below:

55. Quay Thistle, The Quay, Poole, BH15 1HD

Poole Town Ward

APP/20/01163/F

Demolition of the existing hotel building and redevelopment to provide a mixed use scheme of five buildings providing flexible commercial units (Class E/F1/F2) at ground floor with a total of 228 residential units above (Class C3) and a hotel with ancillary bar/restaurant (Class C1), plus basement level car parking, cycle parking, hard and soft landscaping, revised access and associated works.

Public Statements:

IN OBJECTION

- Bill Constance – Poole Quays Forum
- Chris Allenby – Poole Old Town Conservation Group
- Dawn Winter
- Gordon Sutterby – Poole Quays Forum (via video link)
- Alix Digby West – Harbour Ambition (via video link)
- Nick Crompton Smith

IN SUPPORT

- Mark Humphreys – Holloway Studio (Architects) (via video link)
- Peter Bovill – Montagu Evans (Planning Consultant) (via video link)
- Andi Kercini – MHA (Applicant) (via video link)

WARD COUNCILLORS

- Cllr M Howell, speaking in objection (via video link)

**Resolved that the application be REFUSED contrary to the officer's recommendation for the following reasons:**

- Overdevelopment of the site (excessive scale and height at eastern end of the site & historical quay).
- Out of character.
- Detrimental impact on the character and appearance of the Conservation Area.
- Loss of Trees.
- Applicant has failed to demonstrate the scheme cannot make a policy-complaint affordable housing contribution.
- Contrary to policies PP06 (High Street, Quay and Old Town), T12 (Quay Thistle); PP11 (Affordable Housing), PP27 (Design), PP29 (Tall Buildings), PP30 (Heritage Assets) of the Poole Local Plan
- Failure to secure adequate mitigation for the following impacts of the scheme:

- Open Space contribution
- Education contribution
- Medical contribution
- Highway mitigation works
- Heathland mitigation
- Harbour mitigation
- Contrary to policies PP24, PP25, PP32, PP34, PP35, and PP39 of the Poole Local Plan.

Voting:

For – 8                  Against – 2                  Abstentions – 0

56. 96 Lowther Road, Bournemouth, BH8 8NS

East Cliff and Springbourne Ward

7-2021-23976-C

Outline submission for the demolition of the existing building and the erection of a block of 9 flats with cycle and bin stores

Public Statements:

IN OBJECTION

- Ian Lawrence

IN SUPPORT

- Matt Annen – Pure Town Planning

WARD COUNCILLORS

- Cllr Roberto Rocca called in the application. A written statement of objection was read out in his absence.

**Resolved that planning permission be GRANTED with the conditions set out in paragraph 45 of the officer's report, which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision, and the completion of a Section 106 agreement with the terms set out in paragraph 45 of the officer's report.**

Voting:

For – 9                  Against – 0                  Abstentions – 1

Note: In presenting his report the Officer clarified that a total of 57 representations had been received, 41 of these from separate households. As indicated in the Committee addendum sheet all representations were available to view on the Council's website, and those not previously published did not raise any issues which had not been summarised in paragraph 18 of the officer's report.



57. 1 Twynham Avenue, Christchurch, BH23 1QU

Christchurch Town Ward

8/21/0602/CONDR

Single storey rear extension and new side entrance. Replacement outbuilding (existing garage to be replaced on existing foundations with a new storage building). Variation of Condition 2 of Application no. 8/20/1110/FUL (Approved plans)

To include the below amendments to the approved proposal;

Replace existing front door with a window and create an office, create new fire escape door to the side elevation and replace pitched roof on approved extension with a flat roof.

Public Statements:

IN OBJECTION

- Susan Suliman
- John Pendrill

IN SUPPORT

- None registered

WARD COUNCILLOR

- Cllr M Cox called in the application. He did not make a representation at the meeting.

**Resolved that planning permission be APPROVED with the conditions set out in paragraph 42 of the officer's report.**

Voting:

For – 6          Against – 3          Abstentions – 1

Note: A prior move to refuse the application was not carried: Voting: For – 4, Against – 6, Abstentions – 0

58. 63 Merriefield Avenue, Broadstone, BH18 8DB

Broadstone Ward

APP/21/00686/F

Proposed alterations to the existing roof structure to create further bedroom accommodation, with the formation of a gable extension, half hipped extension, installation of roof lights and new north facing dormer. Minor fenestration alterations to the ground floor with a new flat roofed entrance canopy, new windows and doors to the south, west, and east elevations and internal alterations.

Public Statements:

IN OBJECTION

- John Mason
- Sharon and Trevor Morton

IN SUPPORT

- Gareth Bristow, Bristow and Associates

WARD COUNCILLOR

- Cllr M Brooke called in the application. In accordance with his declaration of interest he did not speak or vote on this item and left the meeting room while the item was considered.

**Resolved that planning permission be GRANTED with the conditions set out in paragraph 20 of the Officer's report.**

Voting:

For – 9

Against – 0

Abstentions – 0

59. 13 Wick Lane, Christchurch, BH23 1HT

Christchurch Town Ward

8/20/1084/FUL

Demolition of existing commercial unit to side/rear of existing property. Construction of single storey side and 2 storey rear extension with full refurbishment of existing property. Construction of garage to the rear and formation of 1 x parking space via existing access. Amended Plans Received 30/11, 04/02, 03/03, 31/03

Public Statements:

IN OBJECTION

- Sue Newman Crane
- Peter Fenning

IN SUPPORT

- Matt Stevens – Aspire Architects

WARD COUNCILLOR

- Cllr P Hall called in the application. He confirmed that he had not predetermined the application and spoke in his capacity as Member of the Committee.

**Resolved that planning permission be GRANTED with the conditions set out in the officer's report, as revised and added to in the Committee addendum sheet, and with the following additional condition omitted from the officer's report and agreed by the Committee:**

- **Single window in southwest elevation of proposed two storey extension to be obscure glazed**

Reason: The proposed two storey extension has a single window in the southwest elevation, proposed to serve an en suite bathroom. Given the distance from the boundary, it is considered this window, in the absence of obscure glazing, could have direct views to the garden of the neighbouring property. A condition is therefore recommended to ensure this window is obscurely glazed.

Voting:

For – 8

Against – 0

Abstentions – 0

Note: A move to refuse the application was not carried: Voting: For – 2, Against – 8, Abstentions – 0

The meeting ended at 2.23 pm

CHAIRMAN



## **PLANNING COMMITTEE**

### **PROTOCOL FOR PUBLIC STATEMENTS AT MEETINGS**

**This protocol makes provision for public statements to be taken into account in the decision-making process at meetings of the Planning Committee. It enables objectors and applicants/supporters to submit a written statement on planning applications for consideration at the meeting. These statements will be read out at the meeting on their behalf.**

**The protocol is intended to be an interim measure that takes account of on-going limitations resulting from the Covid pandemic. It will remain in force until a revised protocol is adopted.**

**This protocol is separate from and is not intended to replicate or replace the procedure of submitting a written representation on a planning application to the Planning Offices during the consultation period.**

1. Every meeting of the Planning Committee may be attended by any member of the public to the extent as provided for in the Council's adopted Access to Information Procedure Rules as set out in the Constitution. The Council will also aim to electronically live broadcast such meetings\*. The provisions below provide a mechanism for members of the public to submit statements to be read out at a meeting in relation to individual planning applications. As a result, members of the public attending a meeting will not normally be given opportunity to speak at the meeting on such matters save as required to accord with the provisions of the Constitution and the law.
2. Objectors and applicants/supporters, including Parish or Town Council representatives, who wish to provide a written statement to be read out on their behalf at the Planning Committee must submit this to Democratic Services by 12noon on the day before the meeting.
3. There will be a maximum of two statements from objectors and a maximum of two statements from applicants/supporters on each planning application considered by the Committee. Each statement may consist of up to 450 words.
4. Statements will be accepted on a first come, first served basis. Statements will not be accepted once the limit has been reached. Objectors, and applicants/supporters with similar views are encouraged to co-ordinate in advance in the production of statements.
5. Statements will be read aloud by the Democratic Services Officer once the Presenting Officer has completed their presentation on each planning application.

6. Ward Councillors who have referred an application to the Planning Committee for decision will be expected to attend and speak at the meeting wherever possible, to explain their reasons for the call in. Other Ward Councillors may also wish to attend and speak at the meeting. Ward Councillor attendance will continue to be facilitated virtually using MS Teams.
7. Any Ward Councillor attending and speaking at the meeting must also submit a written version of what they intend to say to Democratic Services by 12noon on the day before the meeting. In the event of a Ward Councillor not being able to access the meeting at the appropriate time for any reason, this statement will be read out on their behalf to ensure their views can be taken into account. Statements may consist of up to 900 words.
8. Any member of the Planning Committee who has referred an application to the Committee for decision and who has a predetermined view on that application may speak as a Ward Councillor in accordance with the provisions in this protocol, but will not be able to participate in the discussion or vote as a member of the Committee.
9. Written statements should refer to planning related issues as these are the only matters the Committee can consider when making decisions on planning applications.  
Statements must direct points to reinforcing or amplifying the planning representations already made to the Council in writing. Guidance on what constitutes planning considerations is included at the end of this document. Statements must not include derogatory or defamatory comments.
10. Anyone submitting a written statement who wishes to provide still photographs or illustrations (a maximum of five) to be displayed on screen while their statement is being read aloud must submit these to Democratic Services at least 48 clear hours before the time specified for the start of the meeting on the agenda.
11. Any updates on planning applications to be considered by the Committee will be published by Democratic Services as soon as possible after 12noon on the day before the meeting.
12. In considering each application the Committee will normally consider contributions from people in the following order:
  - Presenting Officer(s)
  - Objectors
  - Applicant/Supporters
  - Ward Councillors (for the avoidance of doubt and for the purposes of this protocol, the term 'ward councillor' means a councillor who is not a member of the planning committee)



- Questions and discussion by Members of the Planning Committee, which may include points of clarification from Officers, leading to a decision.
13. Exceptionally, in cases of significant major planning applications the Chairman of the Planning Committee may exercise discretion in respect of provisions within this protocol. Arrangements will be agreed in advance in consultation with Planning Services and Democratic Services.
14. Please note that meetings of the Planning Committee are recorded for live and subsequent broadcast by the Council, and will be published on the Council's website for a minimum of six months after the meeting date \*. Agenda, reports and broadcasts can be accessed using the following link:  
<https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?CId=290&Year=0>

For further information about public statements at Planning Committee please contact [democratic.services@bcpcouncil.gov.uk](mailto:democratic.services@bcpcouncil.gov.uk)

The National Planning Portal provides the following guidance on material planning considerations:

'A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled persons' access
- Proposals in the Development Plan
- Previous planning decisions (including appeal decisions)
- Nature conservation

However, issues such as loss of view, or negative effect on the value of properties are not material considerations.'

[https://www.planningportal.co.uk/faqs/fag/4/what\\_are\\_material\\_considerations](https://www.planningportal.co.uk/faqs/fag/4/what_are_material_considerations)

\* The electronic broadcasting and recording of a meeting is dependent upon the Council being reasonably practically able to do so at the time of the meeting. A meeting may proceed even if it cannot be electronically broadcast and / or recorded.



## PLANNING COMMITTEE

Application Address	215-225 Barrack Road Christchurch BH23 2AX
Proposal	Demolition of existing buildings and erect 3 blocks of 38 flats with associated parking and access.
Application Number	8/21/0100/FUL
Applicant	Calendula Assets Limited
Agent	Mr Ken Parke
Date Application Valid	19 February 2021
Decision Due Date	21 May 2021
Extension of Time Date (if applicable)	22 November 2021
Ward	Commons
Report status	Public
Meeting date	18 November 2021
Recommendation	<b>Grant in accordance with the details set out below</b>
Reason for Referral to Planning Committee	There have been 20 or more representations received within the publicity period, based on material planning issues, from separate addresses, that are contrary to the recommendation of the planning officer as set out in the Council's Constitution.
Case Officer	Sophie Mawdsley

## Description of Development

- Demolition of existing buildings and erect 3 blocks of 38 flats with associated parking and access. The scheme involves the creation of 20 x 1 bed flats and 18 x 2 bed units with 21 parking spaces to the rear of the building.

16. The three blocks would each be three storeys in height with two vehicular access points to the rear in which the parking spaces, cycle parking and bin storage would be provided. Amenity areas are proposed directly to the rear of the three blocks.

### **Key Issues**

- 17. Principle of development and housing supply
- 18. Type and size of dwellings
- 19. Affordable housing
- 20. Design, form, scale and layout
- 21. Residential Amenity
- 22. Access and parking arrangements
- 23. Biodiversity
- 24. Contaminated land

### **Planning Policies**

25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Christchurch and East Dorset Local Plan and saved policies of the Christchurch Local Plan 2001.

### **Christchurch and East Dorset Core Strategy 2014**

- KS1: Presumption in favour of sustainable development
- KS2: Settlement Hierarchy
- KS9: Transport Strategy and Prime Transport Corridors
- KS11: Transport and Development
- KS12: Parking Provision
- HE2: Design of New Development
- HE3: Landscape Quality
- ME1: Safeguarding Biodiversity and Geodiversity
- ME2: Protection of the Dorset Heathlands
- ME3: Sustainable development standards
- ME4: Renewable Energy
- LN1: Size and types of dwellings
- LN2: Design, Layout and Density of New Housing Development
- LN3: Affordable Housing

## PC5: Shops and Community Facilities in Local Centres

### **Saved policies of the Christchurch Local Plan**

H12 Residential infill

ENV1 Waste facilities in new development

ENV2 Protection of development from nearby polluting operations

### **Supplementary Planning Documents and Guidance**

- BCP Parking Standards SPD 2021
- Christchurch Character Assessment
- Housing and Affordable Housing SPD

### **The National Planning Policy Framework (2021)**

26. Paragraph 11 sets out the presumption in favour of sustainable development.

*‘For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>7</sup>; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’.*

The relevant sections are;

Section 2 Achieving sustainable development

Section 8 Promoting healthy and safe communities

Section 12 Achieving well-designed places

Section 15 Conserving and enhancing the natural environment

### **27. Relevant Planning Applications and Appeals**



8/09/0885 - Outline application for the erection of 3 blocks of 2½ storey providing 30x1 bed flats & 4x2 bed flats (total 34 flats) with associated parking & access. Matters for consideration as part of outline application are access, layout & scale. Refused June 2009 by LPA and Dismissed at Appeal October 2009 on the lack of affordable housing.

8/10/0059 – Outline permission for 'The erection of 3 blocks of 2 ½ storey flats, providing 30 x 1 bed flats and 4 x 2bed flats (total 34 flats) with associated parking and access. Granted 24/12/2010.

8/13/0554 – Reserved matters application (to consider landscaping) following grant of 8/10/0059. Granted

### **Public Sector Equalities Duty**

14. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **Other relevant duties**

15. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.

16. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.

### **Representations**

17. **35 Objections** have been received on the following grounds;

#### **Parking and Highway safety**

- Insufficient parking
- Minimal parking lead to parking on surrounding roads causing congestion and restricted access

- Affect emergency services reaching their destination
- Heavy traffic congestion in the area
- Highway safety issues- children walking to school
- Cumulative impact of other developments in Christchurch on traffic issues
- Access onto Barrack Road already difficult
- Noise from traffic on Barrack Road
- Utopian view of everyone cycling and not using cars
- Only one bus on Barrack Road – public transport restricted

### **Housing and economy**

- Shortage of family homes
- No affordable housing
- Loss of existing valued businesses
- Additional pressure on local infrastructure – doctors, schools etc
- Loss of well loved restaurant

### **Amenity**

- Already considerable development in surrounding roads
- Flats likely to be rented resulting in transient occupiers and potential antisocial behaviour
- Low water pressure
- Overlooking into neighbouring properties and gardens
- Loss of privacy from balconies and full height glazing
- Loss of sunlight and daylight into adjacent flats
- Noise and disturbance from 38 flats
- Area of amenity space for future occupiers insufficient
- Loss of existing family housing for current residents
- Light pollution

### **Design and Scale**

- Height of Block C too high and too close to side boundary
- Buildings overbearing and dominant in relation to existing buildings

- Examples of flats blocks in Barrack Road should not mean current scheme should be approved.
- Changes character of area dramatically
- Christchurch is an historic town
- Cramming of properties
- Overdevelopment
- No benefit to environment, current residents and businesses

#### **Other matters**

- No agreement that the SAMM Heathland Mitigation will be made
- Contamination risk

#### **1 Letter of Support received;**

- Much needed housing supporting local area

#### **18. Consultations**

- **Natural England** – No objection subject to mitigation being secured to ensure the identified adverse effects on the protected sites are mitigated.
- **Wessex Water** - None received
- **Dorset & Wilts Fire & Rescue Service** - In the event the planning permission is granted for this development, the development would need to be designed and built to meet current Building Regulations requirements.
- **BCP Highways** (summary of comments)

58 cycle spaces are now proposed which in terms of number now accords with the Parking Standards SPD. The plans now indicate 34 ground level cycle parking opportunities, if we count the lower level of the two tier cycle racks as ground floor. That leaves 14 of the cycle spaces having to involve lifting a bike. We would not propose refusing the proposal on just 14 of the cycle spaces being at an upper level as the highway safety gains from the closure of the existing accesses and removal of commercial uses in this location outweigh any harm from these 14 upper cycle spaces. It is also noted that in stacking systems of this nature the 14 upper spaces will have a mechanical system to assist with lifting a bike.

- Electrical vehicle charging bays can be secured by condition

- The existing bus stop raised bus boarding kerbs would be located over one of the proposed access points and therefore the bus stop, and associated higher kerbs, will need relocating. These bus stop works should be done as first works prior to the access which is affected by bus stop being created so that appropriate bus facilities are maintained at all times for the general public.
- The right turn lane opposite the site on Barrack Road will also need shortening to avoid vehicle conflicts between vehicles entering this right turn lane and those vehicles approaching the site from Christchurch wishing to turn right into the site.
- Desire for the whole width of each new access to be a footway crossing style access. This can be secured by condition to ensure the eventual access details fit with the Transforming City Fund scheme along Barrack Road.
- Be prudent to ensure 8 redundant accesses are reinstated back to full kerb height so ensure the footway is level of pedestrians use.
- **BCP Lead Flood Authority** (summary) - There is currently a low risk of Surface water flooding to the rear of most of the properties but this seems to be associated with a localised low spot rather than part of a wider flow pattern.

In conclusion so long as the ground levels mean it is still the car parking area to the rear of the proposed properties that is at low risk of surface water flooding then there is no objection on flooding ground and there is enough information to suggest that SuDs should be viable so a suitably worded condition to comply with the Defra guide lines should satisfy the planning requirements.

- **BCP Environmental Health**

No objections subject to conditions

- **Christchurch Town Council**

*“Objection raised:*

- 1) *The Scheme would create harmful amenity concerns especially at the proposed western elevation with the provision of balconies overlooking into the amenity space of 213 Barrack Road which would be detrimental to the amenity of neighbours. The proposed layout of the scheme also provides a lack of purposeful outdoor amenity space especially at proposed block "C". Both matters are contrary to policy HE2 of the Christchurch and East Dorset Local Plan: Core Strategy and saved policy H12 of the Christchurch Local Plan 2001 and paragraph 127 of the NPPF;*
- 2) *The scheme would generate further trips onto an already busy road; the cumulative impact of which contributes to environmental concerns. The proposal promotes car use and fails to identify opportunities to improve and*

*mitigate the air quality impacts along Barrack Road through prioritising pedestrian and cycle movement, or allowing for green design initiatives such as providing charging points for ultra-low emission vehicles contrary to paragraphs 110 and 181 of the NPPF.*

*Members raised concerns that the scheme fails to identify any affordable housing and that the District Valuer's report or the applicant's viability assessment has not been disclosed suitably redacted given the overwhelming public interest in sites which fail to provide affordable housing. Members noted that such public interest outweighs the business case exemptions to not disclose. Concerns were also raised relating to flooding and car-parking provision but members felt these did not justify sufficient planning harm to raise objection on these points".*

- **BCP Waste and Recycling**

Original objection now overcome with Waste Management Plan received outlining private collections on a twice weekly basis.

- **BCP Urban Design** (summary)

- Height, footprint and built form - Welcome consistent building line addressing the street; Spacing between Block A and no 227 remains rather tight; and would prefer to see 2.5 storey buildings with windows in gables and dormers.
- Residential amenity – Many of the flats have a balcony, patio or terrace which is welcomed but not all have direct level access to amenity space; more usable space would be provided if Block B was same depth as A and C.
- Appearance – Elevations well-ordered with generous fenestration; no objections to contemporary design, other than flat roof; materials reasonable but question grey bricks.
- Site layout and landscape – Welcome low brick front boundary wall and entrances on front with direct path from street; bike and bin store to rear is positive; and like to see variety of native trees and planting to provide biodiversity net gain.
- Sustainable construction/environmental impact – minimising emissions should be a priority; design adopt a Passivhaus or fabric first approach?; solar PV panels welcome and condition 10% of total regulated energy should be from renewable, decentralised and low carbon sources.
- Movement – welcome location of parking to rear; car park benefits from trees; like to see pavements rather than tarmac and white lines.

- **BCP Biodiversity**

*“The Recommendations as given in ‘Report on Biodiversity at 215-225 Barrack Road Christchurch’ by Philip Smith, 10/8/20, should be implemented in full and secured by condition. I would also add that this development should also be providing enhancement for swifts of at least one swift brick built into each block, located in accordance with swift conservation guidance”.*

## **Constraints**

- Wildlife - 19.36m
- Highways Inspected Network - 7.58m
- Heathland 5km Consultation Area - 0.00m
- Airport Safeguarding - 0.00m
- Wessex Water Sewer Flooding - 0.00m
- Contaminated Land - Refuse Disposal - 202.50m
- Contaminated Land - Medium Risk - 24.46m

## **Planning Assessment**

### **Site and Surroundings**

19. The application is currently occupied by two pairs of semi-detached properties, a detached dwelling with car sales and servicing business associated with it and a further building (No 215) occupied by a Chinese restaurant at ground floor and a residential flat above. The plot of No 221 has vehicles associated with the business parked within the forecourt and in the rear of the site so this area is largely covered by hard standing. The Chinese restaurant also has a large area of hard standing to the rear in use as a car park for the business. Therefore, overall the application site has minimal soft landscaping with only ‘green’ rear amenity areas for properties 217, 219 and 225.
20. The locality is characterised by a mix of uses including both residential and commercial. Barrack Road is a prime transport corridor into Christchurch town centre. There is a relatively tight urban grain in the area and along Barrack Road there is a mix of two, three and four storey buildings. There are examples of blocks of flats with a contemporary form along Barrack Road.

### **Principle of development**

21. Objective 6 of the Core Strategy identifies that development will be located in the most accessible locations, focused on prime transport corridors and town centres. Policy KS9 identifies Barrack Road as a Prime Transport Corridor and advises that higher density development will be located in an around town centres and Prime Transport Corridors in order to reduce the need to travel. Policy LN2 advises that proposals for high density developments will be acceptable along the Prime Transport Corridors where they have an acceptable

impact on the character of the area. The site is within walking distance to a range of services and facilities and has access to open space. It is therefore considered that residential use on this site is acceptable in terms of its locality.

22. The NPPF sets out a presumption in favour of sustainable development and Para 68 states;

*‘Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

*c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes’;*

23. The Council does not have a 5 year housing land supply as it currently stands at 3.98 years (April 2019). Having regard to Paragraph 11 of the NPPF and given the above, the tilted balance is potentially engaged (Para 11 d). The site will provide 32 additional units towards the supply of housing but also lies within 5 km of a European Habitat site. The sections below will assess the proposal including in the context of footnote 7 of the Framework and impacts on relevant habitats sites.

24. An additional material consideration in terms of the principle of development is the extant permission for 34 flats under the Outline and Reserved Matters applications granted in 2010 and 2014 at 217 to 225 Barrack Road. (Development commenced in 2016 and this was confirmed by Council). This scheme was on a slightly smaller scale with 3 x 2 ½ storey buildings of a more traditional style but was also on a smaller site. The applicant has since purchased No 225 to provide a larger site with an increase of 4 flats overall.

### **Housing mix and size**

25. Policy LN1 states the size and type of new market dwellings should reflect current and projected local housing needs identified in the SHMA. The SHMA (2015) identifies that there is a higher demand for 2- and 3-bed market housing over 1-bed and 4-beds in Christchurch. However, there is a lower need for flats with a 20% requirement for flats compared to 80% for dwelling houses.
26. The proposal does result in the loss of 5 houses and provides accommodation which does not meet the area of greatest need or type within the SHMA. However, this is balanced against the need for housing in the area, the location of the site on a Prime Transport Corridor promoting high density development and also the extant permission for 34 flats. It has previously been deemed acceptable to see the loss of the housing on the site on the Outline permission (Appeal decision). On balance it is considered that the mix of one and two bed units is acceptable.
27. Policy LN1 requires that unit sizes comply with the Housing Quality Indicators. Whilst these have been overtaken by the National Space Standards, they are still referred to in the adopted Local Plan and therefore are a material consideration.

For a 1-bed/2-bedspace unit the HQI standard 40-50m<sup>2</sup> and for a 2-bed/4-bedspace unit the HQI standard is 67-75m<sup>2</sup>. All the proposed units meet these space requirements and whilst not referred to in any Local Plan policies, they would also meet the Nationally Described Space Standards.

28. Having regard to paragraph 15 of this report, it is considered this scheme is not suitable for self-build/custom housebuilding as it is for a block of flats and is likely to be sold as leasehold units.
29. It is considered there is a technical breach with Policy LN1 in terms of the house types and size but it is in accordance with the unit sizes as set out in the HQI's.

### **Affordable Housing**

30. Policy LN3 of the Local Plan stipulates that 40% of the units on site should be affordable or a financial contribution made in lieu of on-site provision may be acceptable. However, a viability assessment has been submitted with the application which concludes there is no viability to provide affordable housing. This has been assessed independently by the Valuation Office Agency who have also included there is no viability for affordable housing. This is regrettable; but given current construction and delivery costs it is somewhat unsurprising.
31. However, given these could be short to medium term issues it is considered that a review mechanism should be included within the s106 to ensure the affordable housing viability is revisited within a given timeframe to see if any can be provided and the economic climate has changed. The Housing and Affordable Housing SPD sets out in paragraph 8.11 that reviews can be used where financial viability concludes it is not possible to meet the relevant affordable housing targets under LN3.
32. With this included in the proposed s106 heads of terms (below), the scheme is considered to comply with Policy LN3.

### **Loss of businesses**

33. The proposed scheme results in the loss of a car sales and garage local business and a Chinese restaurant. The site is not located within the primary or secondary shopping core of Christchurch and there are therefore no policies to restrict the loss of these commercial premises. The extant permission would have seen the loss of the car sales/garage business, but this current proposal sees the additional removal of the restaurant.
34. Paragraph 93 a) of the Section 8 in the NPPF refers to; 'decisions planning positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments'. Policy PC5 refers to commercial uses in Local Centres and seeks to ensure the loss would not result in a substantial decline in the range and quality of services for local people.



35. The concerns from the local community about the loss of the garage business and restaurant are understood. However, there is an extant permission which already sees the loss of the garage business, so this is a material consideration to the decision. The loss of restaurant would reduce the provision along this stretch of Barrack Road; however given the urban location and proximity and distance to the town centre where other restaurants are located, its loss is not considered to undermine the range and quality of services for local people. Therefore, it is not considered that a reason for refusal based on policy PC5 could be substantiated.

### **Design, form and layout**

36. Core Strategy Policy LN2 requires that the design and layout of new housing development should maximise the density of development, but this is to be a level which is acceptable for the locality. Policy HE2 compliments the design requirements in section 7 of the NPPF by requiring development be compatible with or improve its surroundings in relation to 11 criteria including layout, site coverage, visual impact and relationship to nearby properties. Para 130 of the NPPF states;

*'Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;.....*

33. The proposed development introduces a more contemporary form of architecture into this part of the street scene with the flat roofs and chosen materials. There is no doubt that the full three storey scale creates blocks which have a greater scale than the surrounding buildings which are generally pitched roof two/two and half storey properties. However, the design of the scheme has taken account of this as the built form adjacent to 1a Gardener Road and 211 Barrack Road has been stepped down to two storeys. It is recognised that without the traditional eaves, the overall height is slightly above the eaves of the adjacent buildings; however it is considered the built relationship is acceptable. There are examples of similar types of architecture along Barrack Road. The splitting up of the buildings into the three blocks, reduces the overall mass and bulk of the scheme,

creates a consistent rhythm of buildings along the Barrack Road frontage whilst allowing views between them and into the rear of the site.

34. The front building line respects the building line along the street and in particular the building on the corner of Barrack Road and Gardner Road, No 1a Gardner Road. The depth of built form across the site will no doubt increase; however it is considered that sufficient distances between the proposed buildings and the surrounding buildings will be retained to ensure an acceptable impact on character. The layout is not considered to harm or disrupt the rhythm of development along Barrack Road. There are areas of defensible space to the front of the buildings beyond the public pavement and with the three main pedestrian entrances at the front of the site, an active frontage will be retained. Vehicles within the rear of the site is not an uncharacteristic feature, given the existing situation on the site and the proposal will enable some meaningful soft landscaping and amenity space to be incorporated into the scheme and improve the hard-surfacing materials.
35. The chosen materials include a mix of buff brick, grey brick and white render on the elevations with an aluminium profile grey roof and fascia and stainless steel handrails with glass balustrading on the balconies. The street scene sees a range of materials and as such the proposed mix is considered to be acceptable and would not harm the visual amenities of the area. BCP Urban Design Officer is in overall support of the scheme but does highlight a number of matters that could be improved. For example, they would prefer to see more traditional flat roofs with a 2 ½ storey height. These comments have been carefully considered; however it is considered that the locality can accommodate the proposed form and scale of the buildings and the scheme does not result in overriding harm to the character of the locality and visual amenities of Barrack Road.
36. As stated above, Barrack Road is a Prime Transport Corridor and higher densities are encouraged in these localities. The provision of 38 flats at a density of 120 dph is considered to be in keeping with the promotion of high density development in this location in Local Plan policies. Overall, the proposal does not appear cramped or contrived and compared to the previous approved scheme provides for an improved layout with the parking area broken up and more opportunities for planting at the boundaries. This proposal will result in a change of character to this section of Barrack Road; however this is not necessarily a negative change and as stated in the NPPF decisions should not discourage change or innovation (para. 130).
37. The detailed hard and soft landscaping can be secured by way of condition. There are opportunities to provide planting within the amenity areas and along the boundaries. Native species should be incorporated as much as possible and different permeable surfacing materials used to prevent a harsh environment within the parking areas.

38. Overall, the development is considered to comply with the requirements of policies HE2, LN2 and saved policy H12 and the scheme accords with the Local Plan's aim; 'New development will be expected to be attractive, functional, sustainable and of the highest quality, optimising the site potential and respecting the scale of the locality'.
39. Policy ME3 requires energy efficiency measures from fabric performance, scheme layout and building orientation and then the provision of on-site renewable, decentralised and low carbon energy. Policy ME4 encourages the use of renewable energy in major developments. Photovoltaic panels are being incorporated on the roofs of the three blocks which is welcomed and the supporting statement sets out how the layout and design of the buildings aims to maximise light penetration and solar gain.

### **Residential Amenity**

40. Policy HE2 states that; 'development will be permitted if it compatible with or improves its surroundings in; its relationship to nearby properties including minimising disturbance to amenity'. Saved policy H12 states that residential development should not adversely affect residential amenities by noise or disturbance, or loss of light or privacy.
41. There are a number of residential properties surrounding the site in Barrack Road, Gardner Road to the west and Fitzmaurice Road to the north. Block A is positioned adjacent to 1a Gardner Road to the west. This building is occupied by flats with parking to the rear. Concerns have been raised from residents of this building with regard to the proximity of Block A and overlooking. The design of the proposal has taken into account this built relationship as the third storey has been set in from the side elevation and there are no openings on the ground and first floor level. There are two windows on the side at second storey serving the kitchen and bathroom for Flat 9. The balconies proposed for the front do not extend around the side of the building so would not provide views directly into the adjacent building or the rooflights on No 1a. There are two windows at ground and first floor level with rooflights within the east facing roof slope. There is 3.4 metres between the side of Block A and No 1a with the exception where it decreases to 2 metres in the centre of the proposed building. This increases to 4.5m separation distance at third storey. It is recognised that the outlook from the side windows on No 1a will change from this proposal; however these separation distances are not uncommon in this urban locality. Furthermore, the extant permission allowed Block A to be positioned 2 from the western boundary and there was a greater number of windows at ground and first floor level.
42. There is likely to be a loss of sunlight in the mornings to those windows facing the application site and specifically Block A. It is understood these windows serve bedrooms rather than the main living rooms. The rooflights for the flat at second floor level at 1a will still have sufficient sunlight and daylight given the orientation of the windows and the stepped back nature of the third storey.

43. No 213 lies to the east of Block C. There is a greater separation distance between these two buildings of 6 metres, although the third storey is also stepped in. It is not considered this relationship creates a cramped or tight form of development in the street scene. To the north east No 1 Gardner Road, a semi-detached property is located. Careful consideration has been given to the impact on this property and the plans have been amended to move Block A slightly forward and the rear balconies changed to Juliet balconies to minimise any harmful impact on amenity. There is 9.7 metres from the rear of Block A to the rear boundary of the site (corner of No 1's rear garden) but 14.2 metres from the rear corner of Block A (two storey section) to southern corner of No 1 and 17 metres from the section of three storey height to the same corner of No 1. Regard has been given to the fall back position of the extant permission although it is recognised that the previous approval had a smaller building with a reduced level of glazing on the rear elevation. To the rear of Block A, the amenity space for future residents is proposed and as such there is scope to include some soft landscaping which would help minimise the impact. Views between the flats and house would be at an oblique angle and given the urban location, the proposed relationship is considered to be acceptable.
44. The properties in Fitzmaurice Road are located in excess of 30 metres from the rear of the proposed blocks. The proposal will bring additional built form of much greater scale; however it will replace areas of hard surfacing, vehicle display and storage and parking close to the rear boundaries with landscaped areas and an area of reduced parking overall. Given the proposed height of the new buildings, there is no doubt that the outlook from the properties along Fitzmaurice Road will be altered but given the distances involved there is not considered to be detrimental harm to the occupiers of these properties in terms of loss of privacy or an overbearing form of development.
45. The development brings development and activity into the rear of the site; however given the current use of some part of the application site, the vehicle movement of 21 cars and pedestrian activity associated with the flats is not considered to result in an unacceptable increase in noise and disturbance to neighbouring residents. Whilst the blocks of flats do have considerably more glazing than the existing properties and extant permitted buildings, the light levels from the residential units are unlikely to cause a nuisance given this urban area.
46. With regards to the future occupiers, the majority of the flats have small balcony areas and also a communal amenity space at the rear of the buildings. The site is within walking distance to open spaces and the overall the provision of amenity space is considered to be sufficient. The position of the three buildings and location of windows in relation to each other have been considered. Block A has minimal openings on its eastern elevation to as not to result in a loss of privacy to the occupants of Block B which has a number of windows on its western façade. Block C has also minimal openings facing the central block. The proposed

access drives maintain adequate separation distances between the three buildings.

47. It is considered overall that the development complies with Policy HE2 in that the scheme has minimised general disturbance to amenity and the proposal complies with policy H12 as the residential amenities of existing and future occupiers of dwellings are not adversely affected by noise or disturbance or by the loss of light or privacy.

### **Parking, Access and Highway matters**

48. Under the BCP Parking Standards SPD, the site is located within Zone B and this equates to zero parking requirement for 1 and 2 bed flats. However, this proposal sets out 19 unallocated parking spaces for future residents or visitors. The supporting information sets out that the extant permission provided parking and the proposal would be at a reduced level compared to the existing permission and the Chinese restaurant parking. BCP highways accept this reasoning and are satisfied with the level of parking provision. Two disabled parking spaces have been provided and spaces with electrical vehicle charge points have been identified.
49. With regards to cycle parking provision, one cycle parking space should be provided for each bedroom. The plans indicate a total of 58 cycle spaces with combination of Sheffield Cycle racks and two-tier cycle stands within the rear of the site along with visitor bike racks to the front and side of the three blocks. The level of provision meets the requirements of the Parking SPD; however two-tier cycle racks are not usually encouraged in this type of development. However, given that only 14 spaces are two-tier and they would use a mechanical system to assist with the lifting of bikes and the safety gains from the removal of the number of existing access points, BCP Highways is satisfied with the proposal.
50. It is considered that the proposal represents a highway gain given the existing activities and vehicle movements associated with the buildings and business on site. BCP Highways have stated;
- 'The existing site has 8 vehicle accesses, the majority of which have no vehicle turning areas. There are businesses operating from the site which will have an existing traffic generation including parking demands, service vehicles arriving to load and unload and which will have turning movements into and out of the existing accesses, including vehicle reverse movements back out onto the busy main road. The removal of these numerous accesses to have just 2 accesses, which will be of sufficient width to allow two-way vehicle passing represents a highway safety gain in the proposal, particularly with regard to the existing potential reverse movements, turning movements and delivery activities.'*
51. It is appreciated from the representations received there is concern surrounding the level of parking and the impact of the development on Barrack Road and the surrounding residential roads. However, the parking provision is beyond what we would expect to see and the traffic generated from the proposal is considered to

be compatible with capacity on the wider highway network. The existing uses on the site will have an existing parking and traffic demand.

52. In order to reduce any potential conflict from the new access points into the site and the existing right turn lane into Somerset Road, this lane needs to be shortened and has the potential to be altered without impacting on the capacity of the junction. The existing bus stop outside of No 221 will also need relocating and BCP Highways originally requested a new bus stop with Real Time Information and a wider circulation space to the rear. The applicant had concerns over the viability of providing this new improved bus stop and given the size of the proposed development and the existing situation; it is not considered that a refusal on this basis alone would be reasonable. The Transforming Cities Fund scheme is currently designing a cycle route along Barrack Road and whilst these plans are not finalised yet, the proposed condition to secure amendments to the existing bus stop and right turn lane enables flexibility for the applicant and the Council to ensure the most appropriate highway improvements are carried out.
53. An objection was raised by BCP Waste and Recycling team given the size and location of the bins. However, a Waste Management Plan has been submitted by the applicant setting out that a private company will undertake two collections a week and as such the capacity of bins is not as great as required with BCP due to their alternate weekly collections. This Plan can be secured through condition.

## **Biodiversity**

54. Core Strategy Policy ME1 sets out that it aims to protect, maintain and enhance the condition of all types of nature conservation sites, habitats and species within their ecological networks.
55. The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site. The proposal for a net increase in residential units is, in combination with other plans and projects and in the absence of avoidance and mitigation measures, likely to have a significant effect on the site. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.
56. The appropriate assessment has concluded that the mitigation measures set out in the Dorset Heathlands 2015-2020 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). In relation to this development the Council will fund HIP provision via the Community Infrastructure Levy but SAMM, which forms the second strand of the strategy, requires that contributions be secured via s106 from all development where there is a net increase in dwellings. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.

57. The current application is not yet accompanied by a completed unilateral undertaking; however the applicant has agreed to enter into such an undertaking and therefore there will be a mechanism to secure the necessary contribution (£7,983.00) towards Strategic Access Management and Monitoring in accordance with the Dorset Heathlands SPD. This contribution does not relate to the provision of infrastructure, is reasonable and necessary; the contribution complies with Regulations 122 and 123(3) of the Community Infrastructure Levy Regulations 2010 (as amended). With this mitigation secured the development will not result in an adverse effect on the integrity of the designated site and is therefore in accordance with policy ME2.
58. A biodiversity report has been submitted as part of the application and it concludes that no protected or notable species were noted on site. Biodiversity is considered to be low due to the hard surfacing and level of ornamental maintained garden on the site and minimal hedgerows. The properties were also considered to hold negligible value for bats. However, the following measures as set out in the report must be incorporated into the scheme to mitigate any potential harm to biodiversity;
- Removal of shrubs/area for nesting birds outside of bird nesting or if cannot take place ecologist must be on site during shrub clearance;
  - Planks laid in foundations and drains kept covered overnight to prevent animals becoming trapped;
  - Stag beetle larvae if dug up should be reburied in a safe shady place
59. The NPPF requires a net biodiversity net gain on site and as such the following enhancements are proposed;
- 1 bat access shelters built into the bin store
  - Two house sparrow terraces
  - Hedgehog gaps in fencing
  - Four concrete bee bricks added to bike and bin store
60. The mitigation and enhancement measures outlined in the report can be secured by condition along with an additional enhancement of providing swift terraces. The soft and hard landscaping will be secured by condition and this will be a further opportunity to secure native species and provide additional habitats for wildlife. It is considered the scheme complies with policies HE2, ME1, ME2 of the Local Plan.

### **Contaminated land**

61. A Contaminated Land Desk Study report has been submitted with the application give the existing car garage use on site. It identifies that potential sources of contamination include; made ground; leaks and spills from cars; fire pit; use of plots as car garage, car body workshop and forecourt for washing cars. The

report concludes that given the moderate/low risk to human health, groundwater and surface water intrusive investigations are carried out. This should include drilling and the installation of boreholes to enable ground gas and groundwater monitoring. BCP Environmental Health are satisfied with this report but have suggested a specific condition which is set out below under No 6. The development is considered to comply with saved policy ENV2.

## **Drainage**

62. The site lies within Flood Zone 1 (low risk); however the site is susceptible to surface water flooding towards the north west corner and close to the northern rear boundary. The submitted Drainage Options Technical Note states that the surrounding land consists of a layer of loose dark brown sandy-silty gravel followed by a layer of loose medium-dense, yellow-brown sandy gravel which should be ideal for infiltration drainage. It is proposed to install an infiltration grate system under the access drive and parking areas to drain surface water run off across the site along with permeable paving.
63. If infiltration is not possible other options have been considered including discharging into a nearby surface water sewer which would require a grate or basin and being discharged off site at a limited rate. BCP Lead Flood Authority are satisfied with this and a condition is proposed to secure a detailed Surface Urban Drainage system (SUDs) and management plan. The proposal is considered to accord with policy ME6 of the Local Plan.

## **Planning Balance**

64. Having regard to Paragraph 11 d) of the NPPF, given the lack of housing land supply, it is considered that the housing policies of the Development Plan are out of date. However, given the site lies within 5k of a protected European wildlife site and the potential cumulative impact of residential development, mitigation is required to address the harm to the protected site and this can be secured via a planning obligation and CIL as outlined above. On this basis it is not considered that any policies listed in footnote 7 of the NPPF provide a clear reason for refusal and the tilted balance applies to this proposal.
65. It is considered that notwithstanding the provision of flats rather than houses which does not technically meet the requirements of the SHMA, the development complies with the Development Plan as a whole and the NPPF. As stated above, the extant permission for flats and the location of the site outweighs the provision of flats over houses. The proposed layout and scale of the scheme did raise questions regarding the impact on residential amenity as is discussed earlier in the report and the provision of flats is technically contrary to the housing requirements in the SHMA. In addition, there are some negative economic impacts from the loss of the existing businesses although there is already a commitment to the loss of most of these from the extant permission.



66. There is however positive economic and social impacts from the provision of housing and any environmental impacts do not significantly and demonstrably outweigh the benefits of the proposals. The proposal is considered to provide a sustainable form of development and provides a net increase of 32 units of residential accommodation and as such the balance is tilted in favour of approving the application.

## **RECOMMENDATION**

### ***GRANT permission subject to:***

- (a) The following conditions; together with
- (b) a deed pursuant to section 106 Town and Country Planning Act 1990 (as amended) securing the following terms with power delegated to the Head of Planning (or any other officer nominated by them for such a purpose) to agree specific wording provided such wording in the opinion of the Head of Planning (or other relevant nominated officer) does not result in a reduction in the terms identified as required:
  - Strategic Access Management and Monitoring (SAMM) - £7,983.00
  - Review mechanism to cover affordable housing

and the following conditions;

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

P001 A Location And Block Plan  
P10 C Site Plan  
P011 A Block A - floor plans  
P020 B Block A – Elevations  
P021 Block B Proposed Elevations  
P012 Block B Proposed Floor Plans (1 of 2)  
P013 Block B Proposed Floor Plans (2 of 2)  
P022 A Block C - Elevations  
P014 Block C Proposed Floor Plans  
P040 Street Scene And Site Section  
P051 Rev C – Cycle and Bin Store Plans  
P051 Rev C – Cycle and Bin Store Elevations

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

3. The development shall not be commenced until a surface water drainage strategy and timetable for delivery is submitted and approved in writing by the

local Planning Authority. The drainage scheme shall be completed in accordance with the approved details and thereafter retained.

Reason: To ensure proper provision for surface water management.

4. Prior to the commencement of development, a demolition & construction method statement shall be submitted to and agreed in writing by the Local Planning Authority (LPA) It needs to detail how nuisances (noise, odour, dust, smoke) will be avoided. Works must be carried out in accordance with the approved statement.

Reason : To protect the amenity of neighbouring properties

5. Prior to the commencement of development, other than in respect of demolition works, a scheme shall be submitted to and approved in writing by the Local Planning Authority to deal with potential contamination of the site. Such scheme shall include the following actions and reports, which must be carried out by appropriately qualified consultant(s):

(a) A Site History Report, which shall, by reference to site layout drawings of an appropriate scale, include a history of the site, past land uses, current and historical maps, site plans, locations of any known spillages or pollution incidents and the location and condition of old tanks, pits, fuel or chemical storage areas. (Please note it is the responsibility of the landowner, developer or consultant to provide and disclose all relevant information). This will be completed in accordance with the Environment Agency's Land Contamination Risk Assessment (LCRM) guidance and provide a Conceptual Site Model and Preliminary Risk Assessment.

(b) If development of the site over several phases is intended the developer will submit in writing for the approval of the Local Planning Authority a Phasing Plan. No alteration of the area covered by each Phase will occur unless approved in writing by the Local Planning Authority. Following approval of the Phasing Plan the conditions below will need to be addressed with respect to each Phase of the development before occupation of each Phase.

(c) Before any works commence on site, consultants must be appointed to carry out an intrusive site investigation which is conducted in accordance with BS 10175:2011 + A2:2017 and BS 5930:2015. The sampling strategy must be submitted to the Local Planning Authority for approval. The intrusive site investigation should include for:

\* A gas risk assessment in accordance with CIRIA C665:2007 and BS 8485:2015 + A1:2019;

\* Groundwater elevation monitoring and chemical analysis to enable an appropriate assessment of the hydraulic gradient and impact to controlled waters. The groundwater assessment should be designed to establish the

level of risk to the proposed development from off-Site sources of contamination identified in the Phase I report;

- \* Establish if legislated and non-legislated invasive plant species are present and assess the potential impact to ecology;

- \* Establish the presence and likelihood of risk of contamination sourced from the demolition activities; and

- \* Establish the presence and likelihood of risk of relevant contaminants outlined in the Phase I report and the Department of Environment (DoE) Industry Profiles for on-Site activities (Note: The DoE Industry Profiles are not considered a definitive study for land contamination but introduce technical considerations which are useful in the development of initial Conceptual Site Models and should be considered in future environmental risk assessments and intrusive investigations for this development).

(d) A Site Investigation Report (based on the information contained in the site history report), will be required where the appointed consultant and/or the Local Planning Authority anticipate that contamination may be present in, on or near the proposed development area. The site investigation report must characterise and identify the extent of contamination, identify hazard sources, pathways and receptors and develop a conceptual model of the site for purposes of risk assessment.

(e) Where contamination is found which (in the opinion of the Local Planning Authority) requires remediation, a detailed Remediation Statement, including effective measures to avoid risk to future and neighbouring occupiers, the water environment and any other sensitive receptors when the site is developed, shall be submitted to and approved in writing by the Local Planning Authority.

(f) Development shall only take place in accordance with the approved Remediation Statement.

(g) If, during works on site, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority.

(h) On completion of all the works detailed in the agreed Remediation Statement, a Remediation Completion Report must then be completed by the environmental consultant(s) who carried out the remediation work confirming that they have supervised all the agreed remediation actions. This report is to be submitted to the planning authority confirming that all works as specified and agreed have been carried out to the point of completion. Until the Planning Authority is in receipt of said Remediation Completion Report and is

satisfied with the contents of the statement and the standard of work completed, it will be viewed that the remediation of the site is incomplete.

Reason: To protect controlled waters, ecological receptors, human health and property.

6. Notwithstanding the approved plans, no development above DPC (damp proof course) shall take place until additional details of all three cycle stores have been submitted to and agreed in writing by the Local Planning Authority. The approved cycle parking shall be carried out in accordance with the approved details and implemented prior to the occupation of the residential units to which that parking is associated and shall thereafter be maintained available for that parking use at all times thereafter.

Reason: In the interests of promoting sustainable forms of transport.

7. No development above DPC (damp proof course) shall take place until details of the construction and layout of the first 5m of the proposed car park vehicle accesses to Barrack Road have been submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented prior to either of the approved car parks coming into operation for car parking associated with any residential unit.

Reason: To ensure safe access to the highway.

8. No development above DPC (damp proof course) shall take place until details of all external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved, unless otherwise agreed in writing with the LPA.

Reason: To ensure a satisfactory visual relationship of the new development to the existing.

9. No development above DCP (damp proof course) shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include hard surfacing materials; means of enclosure; details of boundary planting, schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate).

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development or its first occupation, whichever is the sooner. Any planting found damaged, dead or dying in the

first five years following their planting are to be duly replaced with appropriate species.

Reason: The long term establishment, maintenance and landscaping of the site is necessary to preserve the amenity of the locality.

10. No development above DCP (damp proof course) shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority;

- i. Works to relocate the existing Barrack Road bus stop and associated signage, road markings and raised kerbs; and
- ii. Works to shorten the right turn lane road markings into Burnett Avenue on Barrack Road.

The approved bus stop relocation works must be carried out prior to the opening up of the approved vehicle access which affects the bus stop. Approved works to the right hand turn must be carried out prior to first occupation of any residential unit.

Reason: In the interests of highway safety and the continuation of the provision of sustainable transport facilities.

11. No development above DCP (damp proof course) shall take place until details of the provision of Electric Vehicle Charging Points and associated infrastructure shall have been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the BCP Council Parking Standards (2021) and implemented and brought into operation prior to any residential unit hereby approved being occupied. Thereafter the EVC Points shall be retained and kept available for use at all times.

Reason: In the interests of promoting sustainable forms of transport.

12. The development hereby approved shall be carried out in accordance with the recommendations as specified in 'Report on Biodiversity at 215-225 Barrack Road Christchurch' by Philip Smith, 10/8/20. In addition, at least one swift brick built into each block, located in accordance with swift conservation guidance and away from man-made lighting, see <http://www.swift-conservation.org/OurLeaflets.htm>. shall be implemented and thereafter retained.

Reason: To ensure the biodiversity mitigation measures are secured and to provide net gains for biodiversity.

13. The development hereby approved shall be carried out and used in accordance with the Waste Management Plan received 18/10/21 detailing private collections.

Reason: To ensure adequate provision if made for waste and recycling storage and collection.

### **Informatives**

1. The applicant has provided a unilateral undertaking dated (to be confirmed) to pay the appropriate contribution in relation to Heathland mitigation as required by the Dorset Heathlands Planning Framework 2020-2025 - Supplementary Planning Document (SPD) Background Papers
2. The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to this development. The Council will shortly be issuing a CIL Liability Notice following the grant of this permission which will provide information on the applicant's obligations.
3. The applicant's attention is drawn to the need to enter into the appropriate procedures with, and obtain the appropriate licences from, the Highway Authority regarding any works on the Highway prior to those works taking place.

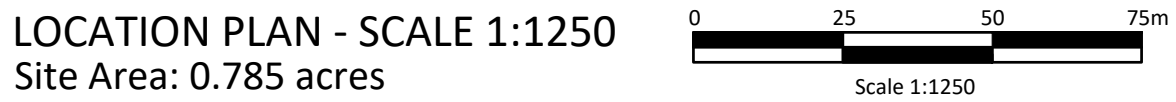
### **Background Documents**

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

Notes. This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Reference to published works is not included

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## ACCOMMODATION SCHEDULE

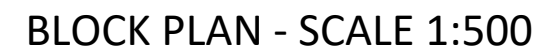
<b>BLOCK A</b>	5no. 1B2P Flat @50sqm
	6no. 2B4P Flat @70sqm
	<u>11no. Total Units (670m<sup>2</sup>)</u>

**BLOCK B**

9no. 1B2P Flat@50sqm	
1no. 1B2P Flat@59sqm	
6no. 2B4P Flat@70sqm	
<u>16no. Total Units (929m<sup>2</sup>)</u>	

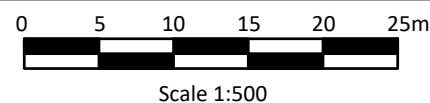
<b>BLOCK C</b>	5no. 1B2P Flat@50sqm
	6no. 2B4P Flat@70sqm
	<u>11no. Total Units (670m<sup>2</sup>)</u>

**38no. Total Units (2,269m<sup>2</sup>)**  
**19no. Parking Spaces**  
**58no. Cycle spaces**



Notes:

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						B	02.11.21	Revised car parking and cycle spaces	AL	E
						A	18.01.2021	Amendment to Block B area	AL	

Drawn By:	Project No:
AL	19062
Date:	Scale:
01/07/20	1:500 @A3
Checked By:	Dwg No:
ES	P001
Date:	Rev: B

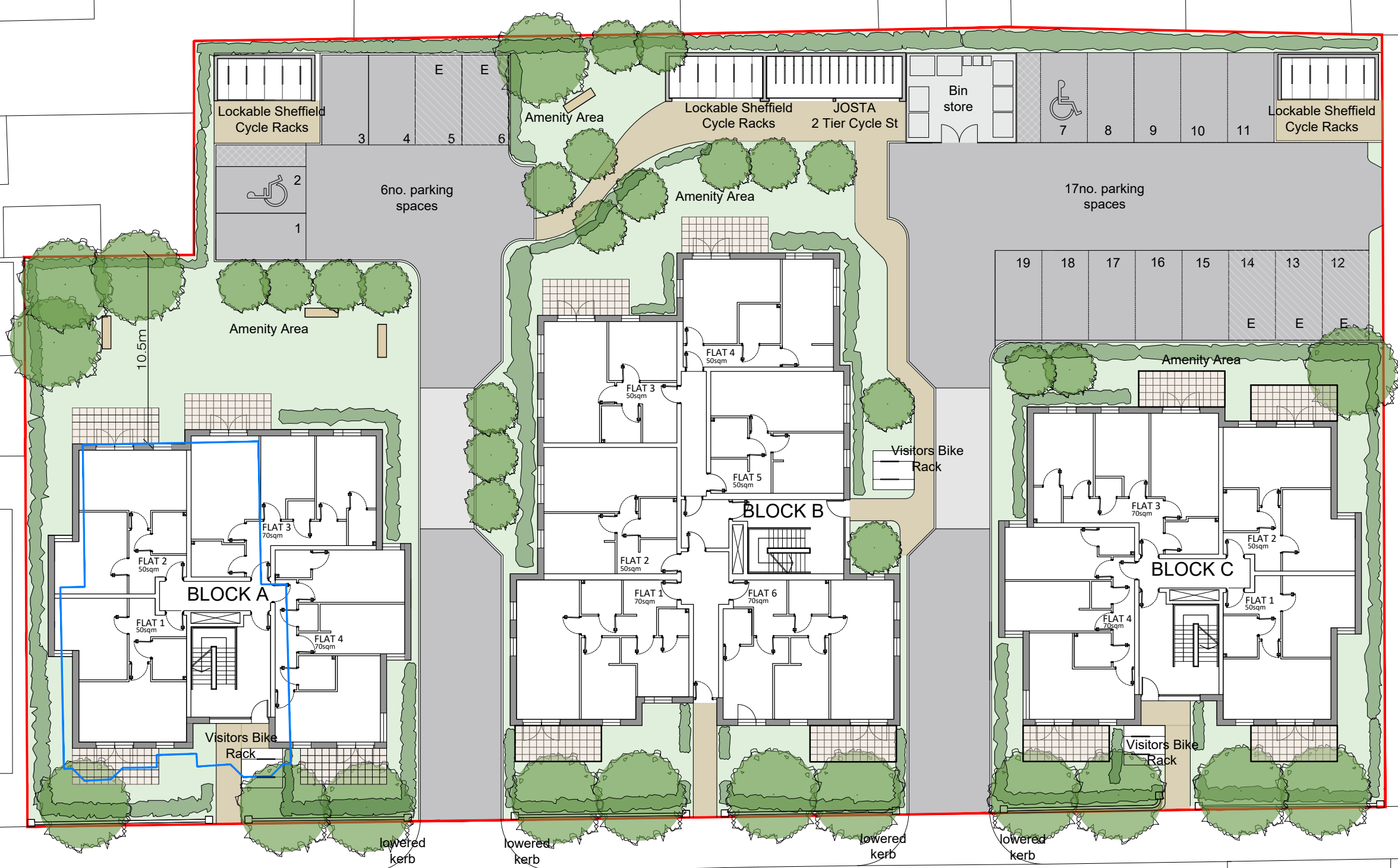
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Project/Client:	215-225 Barrack Rd	Drawing:
	Christchurch	Location Plan

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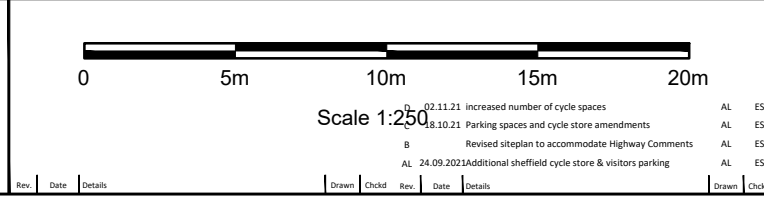




# BARRACK ROAD

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Drawn By:  
AL  
Date:  
06.05.20

Checked By:  
AL  
Date:  
06.05.20

Project No:  
19062  
Scale:  
1:250 @A3

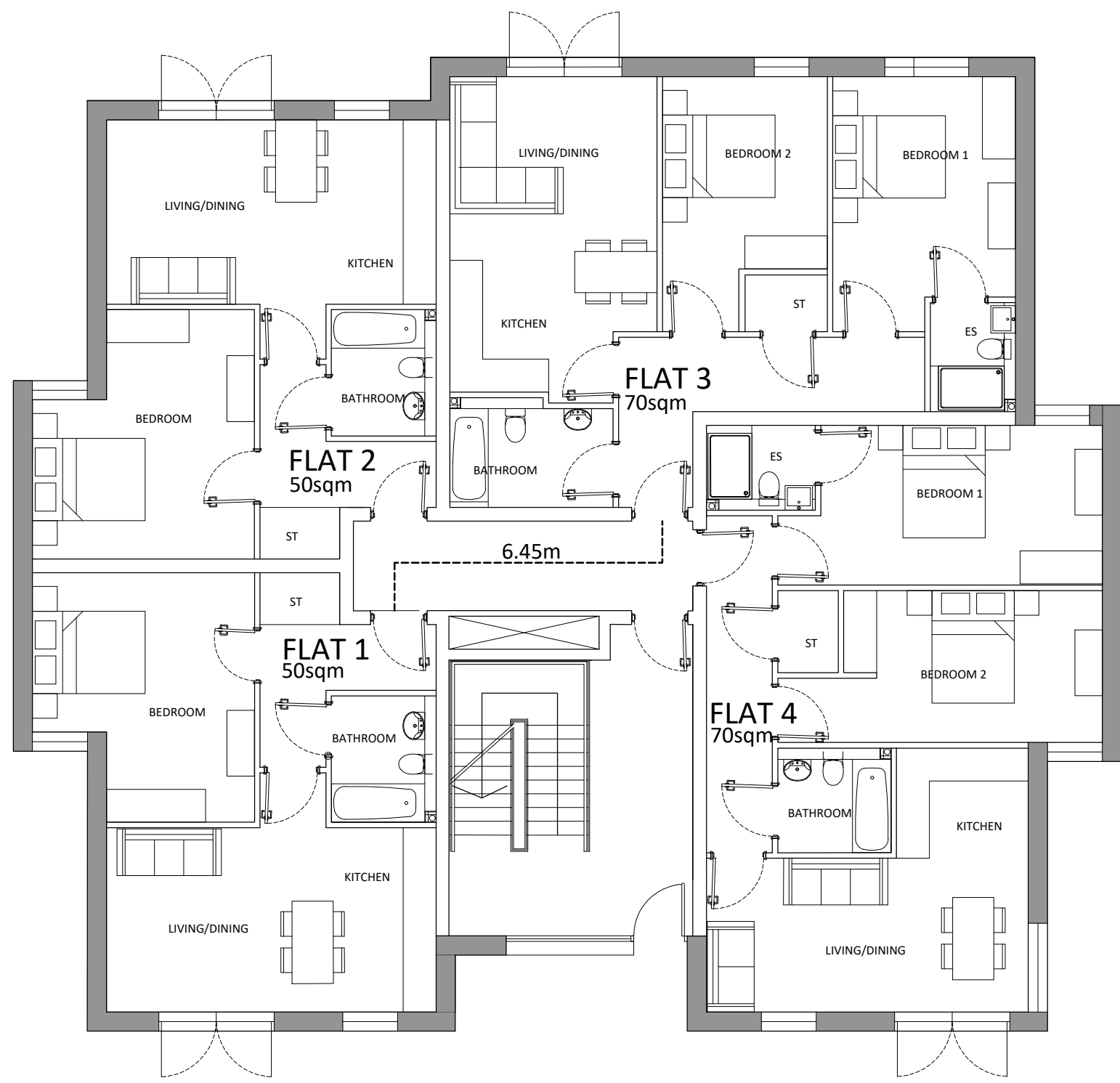
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P010  
Rev: D

Issued for:

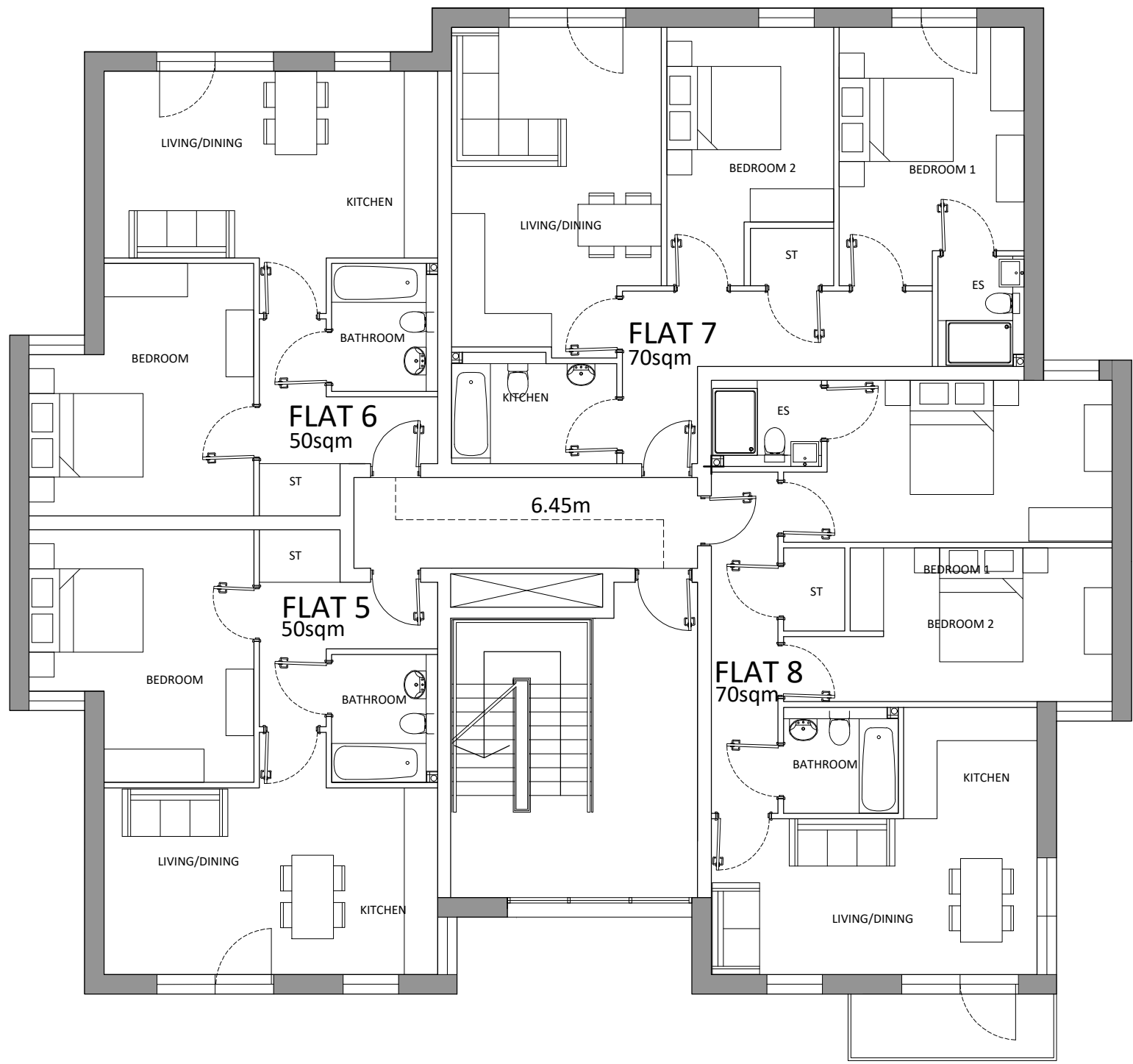
PLANNING

Project/Client:  
215-225 Barrack Rd  
Christchurch

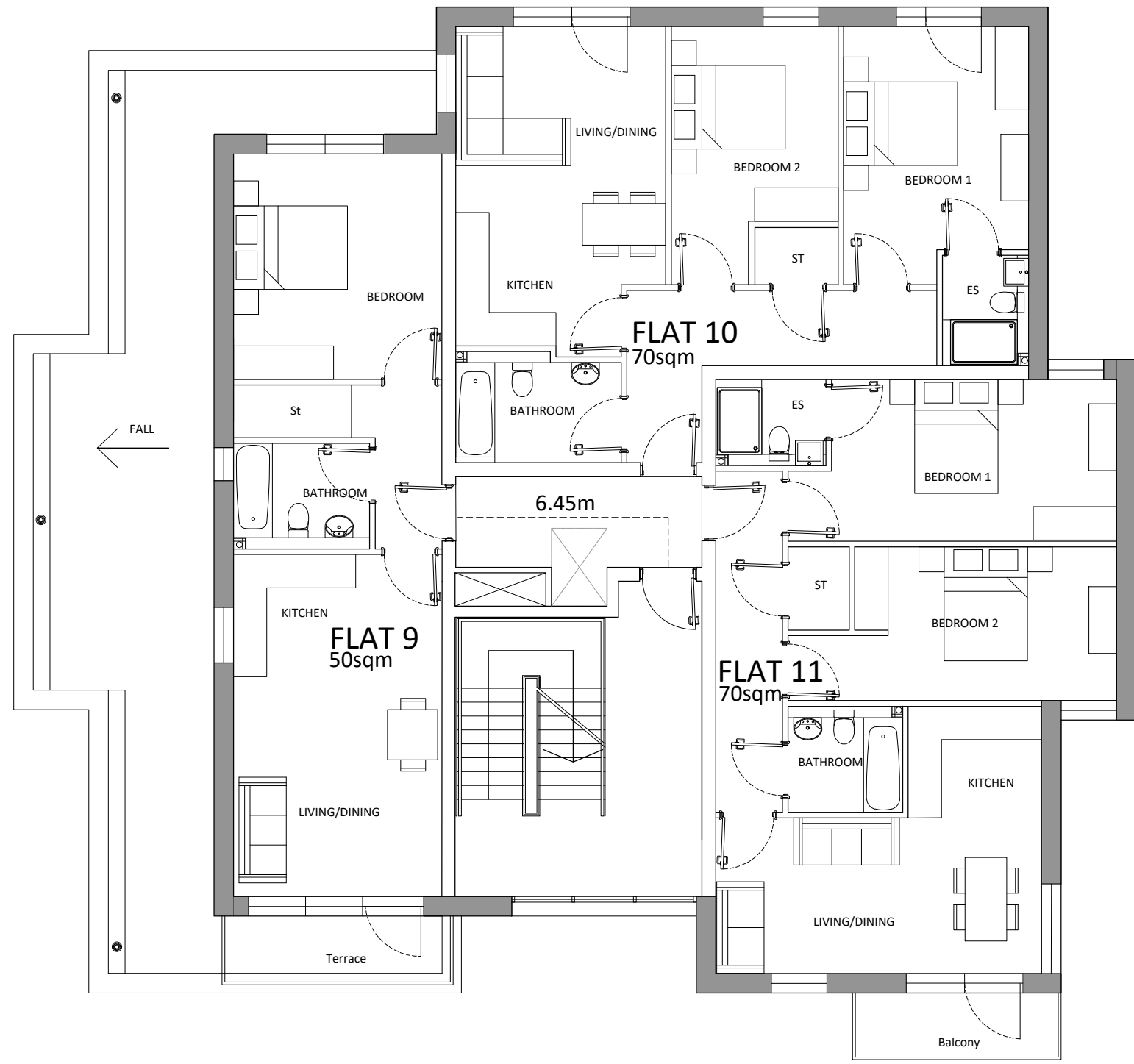
Drawing:  
Site Plan



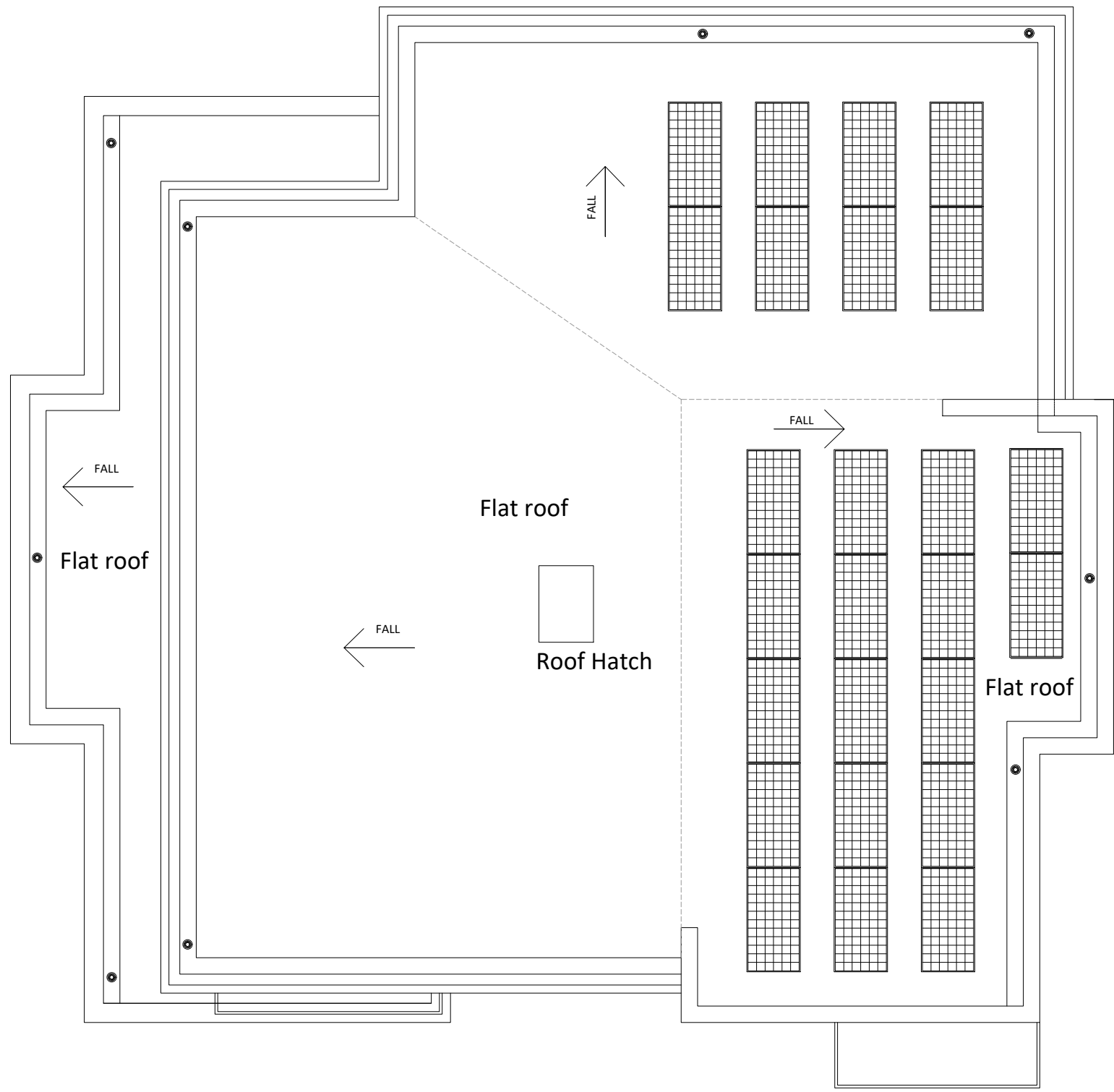
GROUND FLOOR PLAN



FIRST FLOOR PLAN

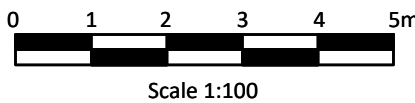


SECOND FLOOR PLAN



ROOF PLAN

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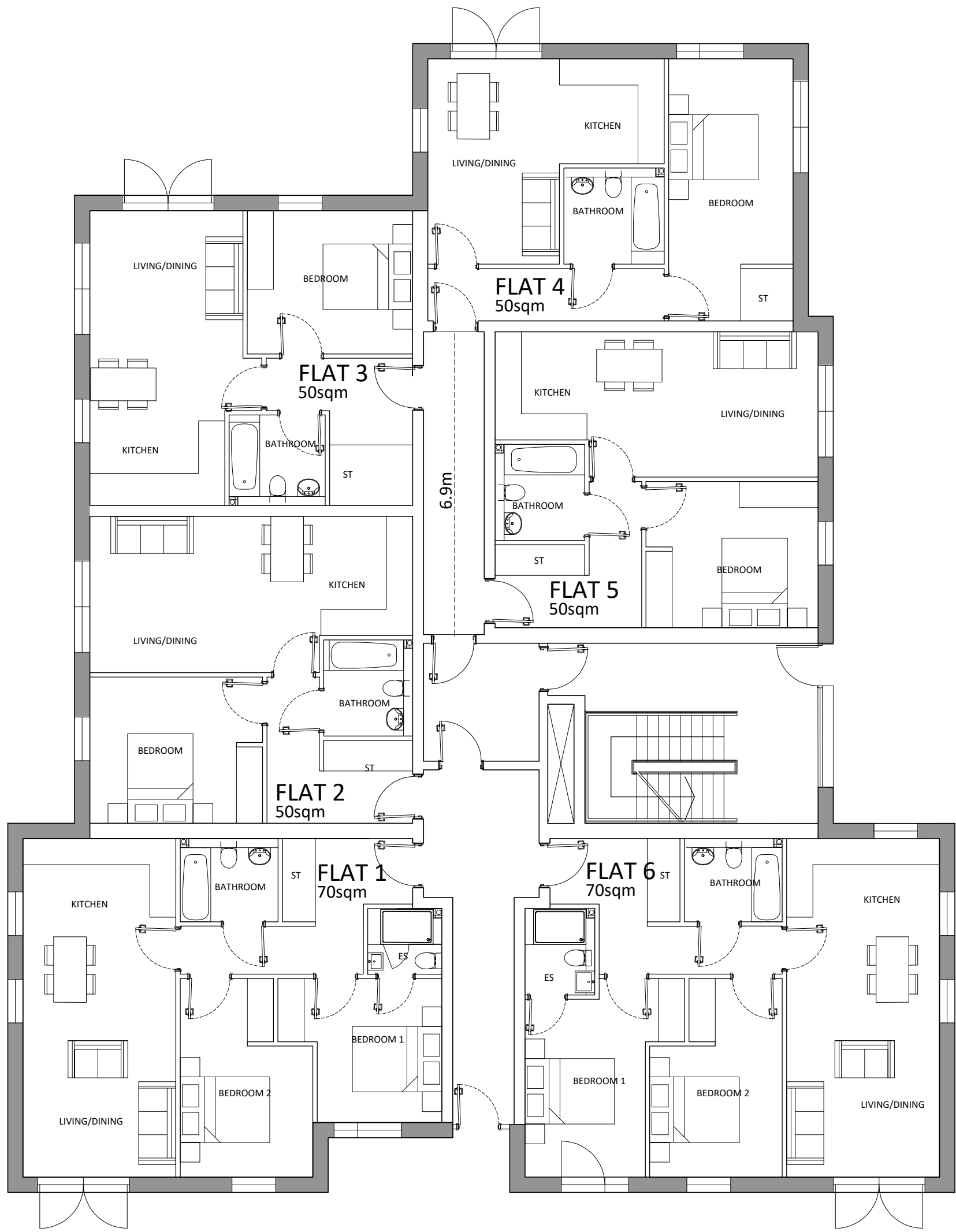
A		19.10.21 removed balconies to rear of building		AL	
Rev.	Date	Details		Drawn	Checkd
Drawn By:		Date:	Checked By:	Date:	
AL		01/07/20			

Issued for:		PLANNING	
Drawing:		Project No:	
BLOCK A		19062	
PLANS		Scale:	
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Project/Client:		Dwg No:	
215-225 Barrack Road		P011	
Christchurch		Rev: A	

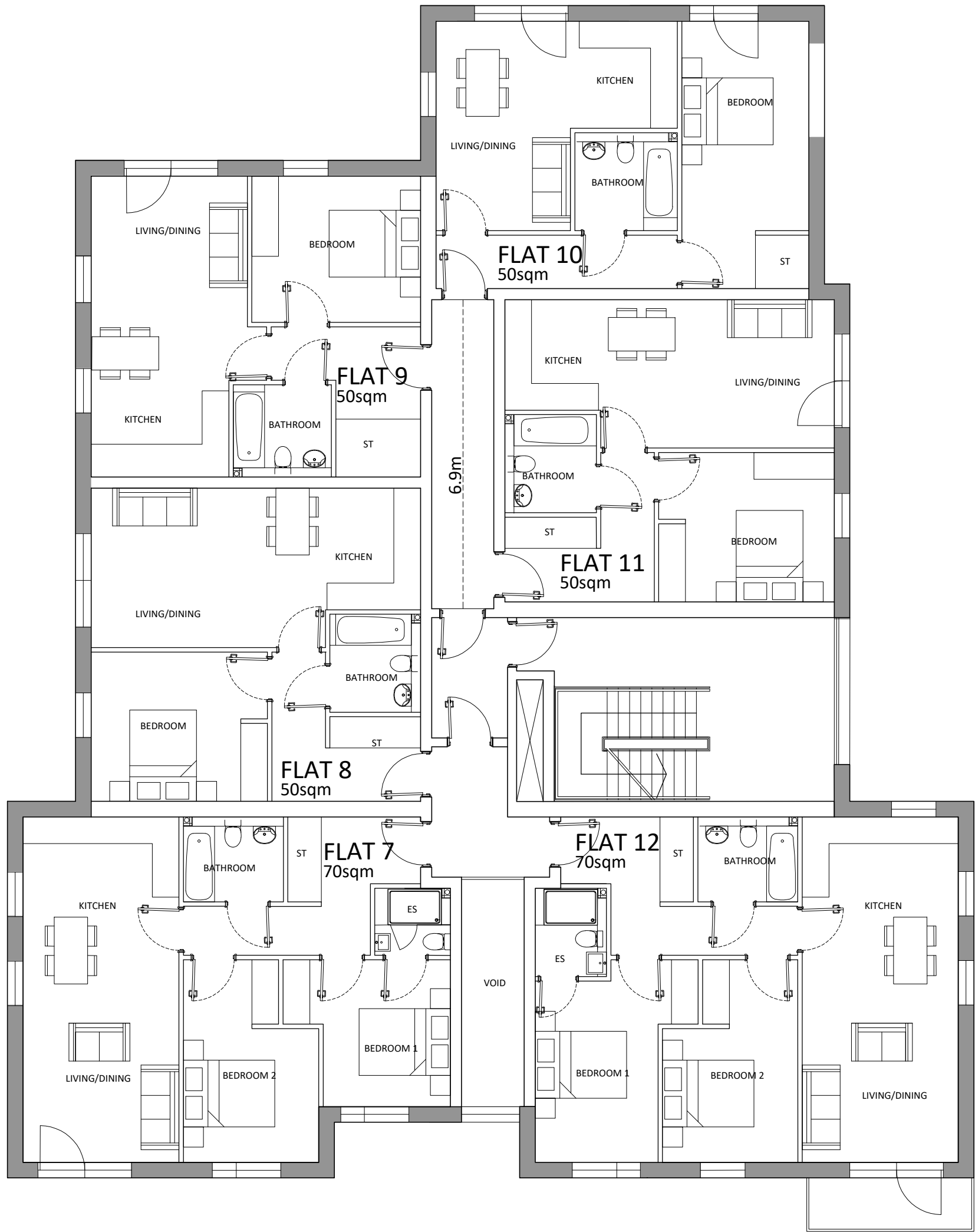
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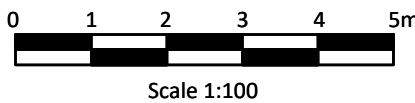


GROUND FLOOR PLAN



FIRST FLOOR PLAN

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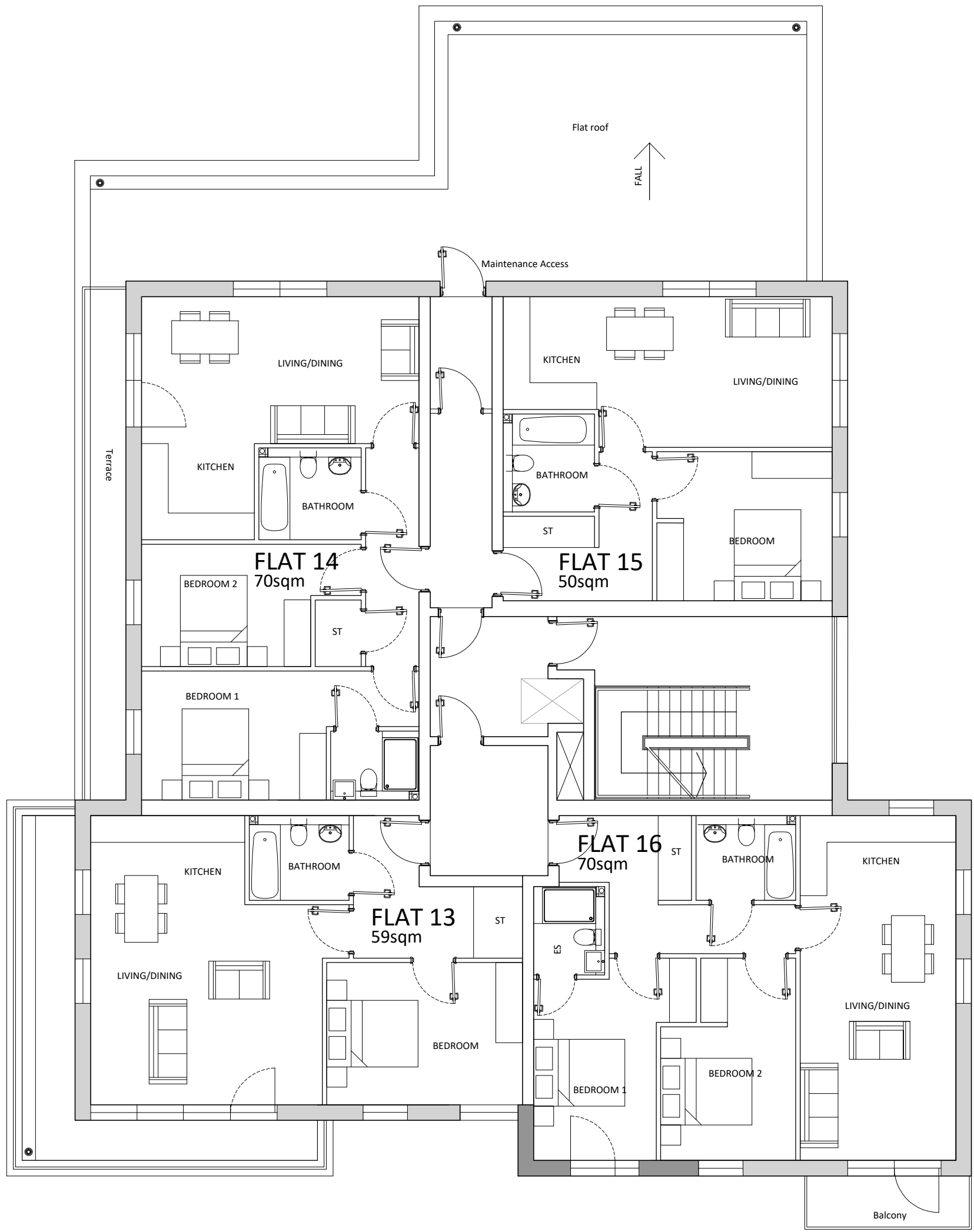
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AL	01/07/20			

Rev.	Date	Details	Drawn	Checkd
AL	01/07/20			

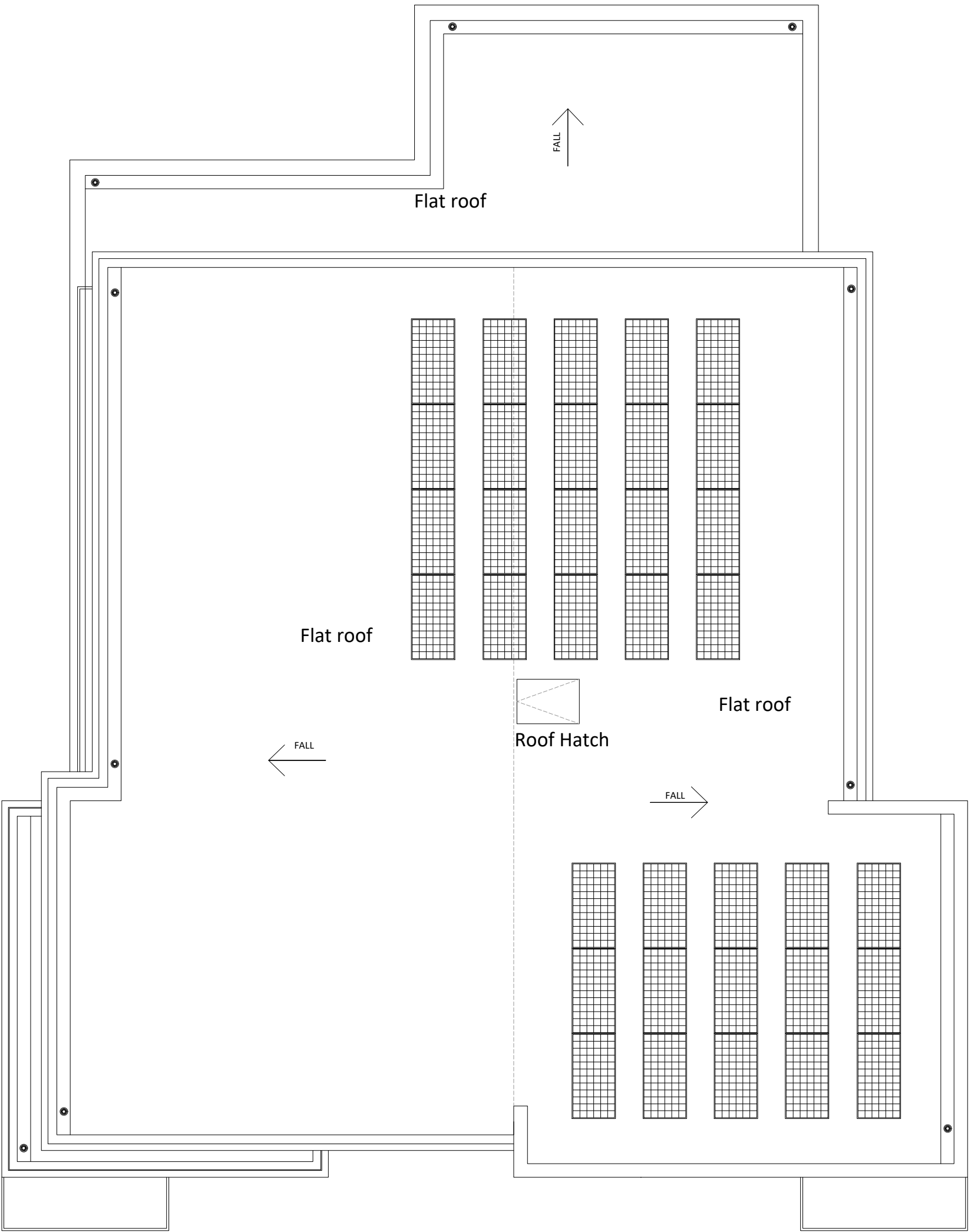
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FLOOR PLANS (1 OF 2)		Scale:	
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Project/Client:		Dwg No:	
215-225 Barrack Road		P012	
Christchurch		Rev:	

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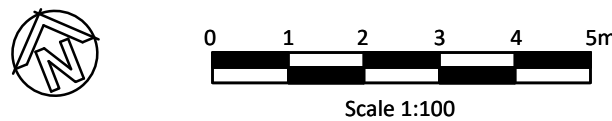


SECOND FLOOR PLAN



ROOF PLAN

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Rev.	Date	Details	Drawn	Checked
AL	01/07/20			

Rev.	Date	Details	Drawn	Checked
AL	01/07/20			

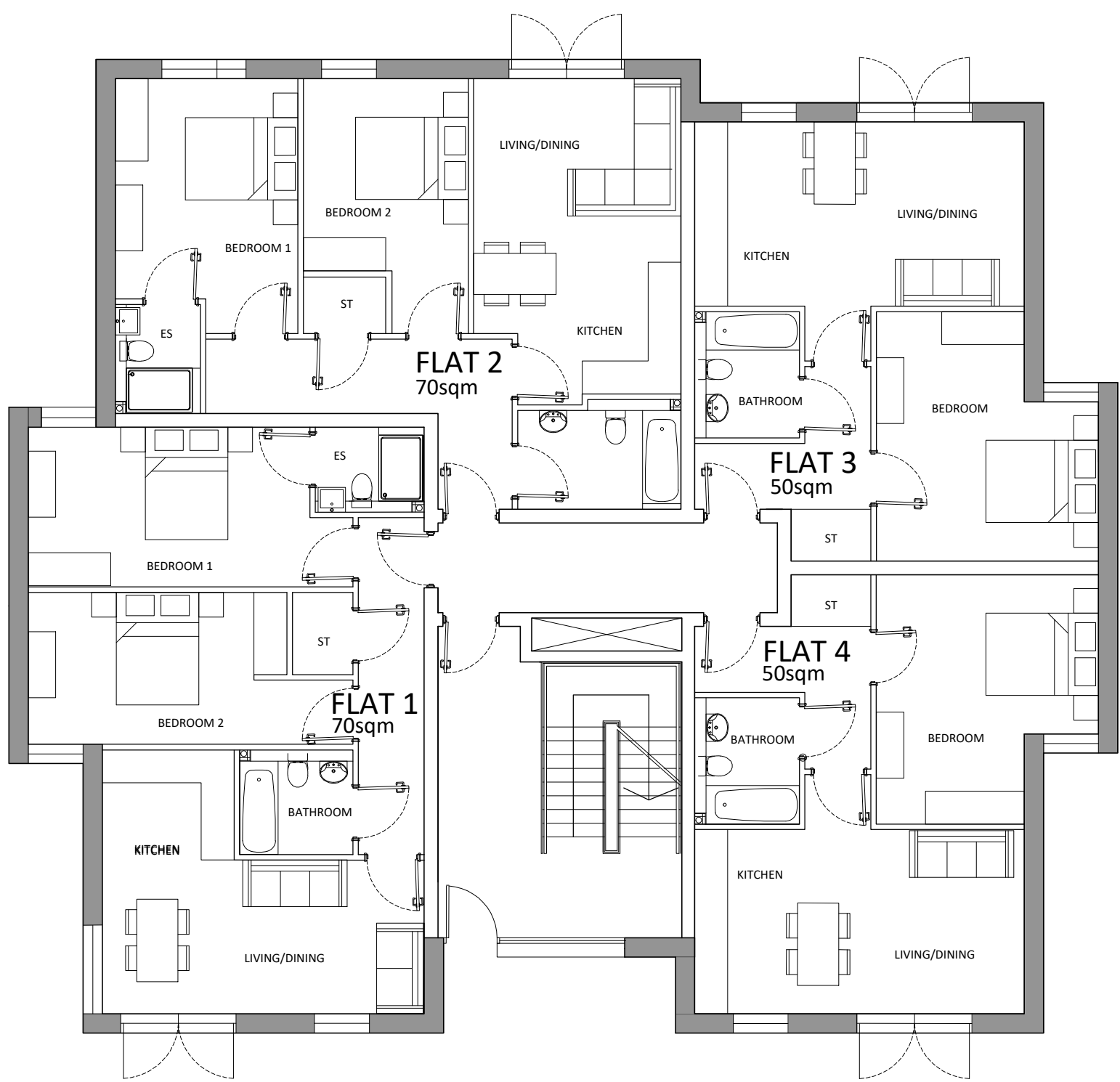
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PLANNING	
Drawing: BLOCK B FLOOR PLANS (2 OF 2)	
Project No: 19062	
Scale: 1:100 @A1	
Project/Client: 215-225 Barrack Road Christchurch	
Dwg No: P013	
Rev:	

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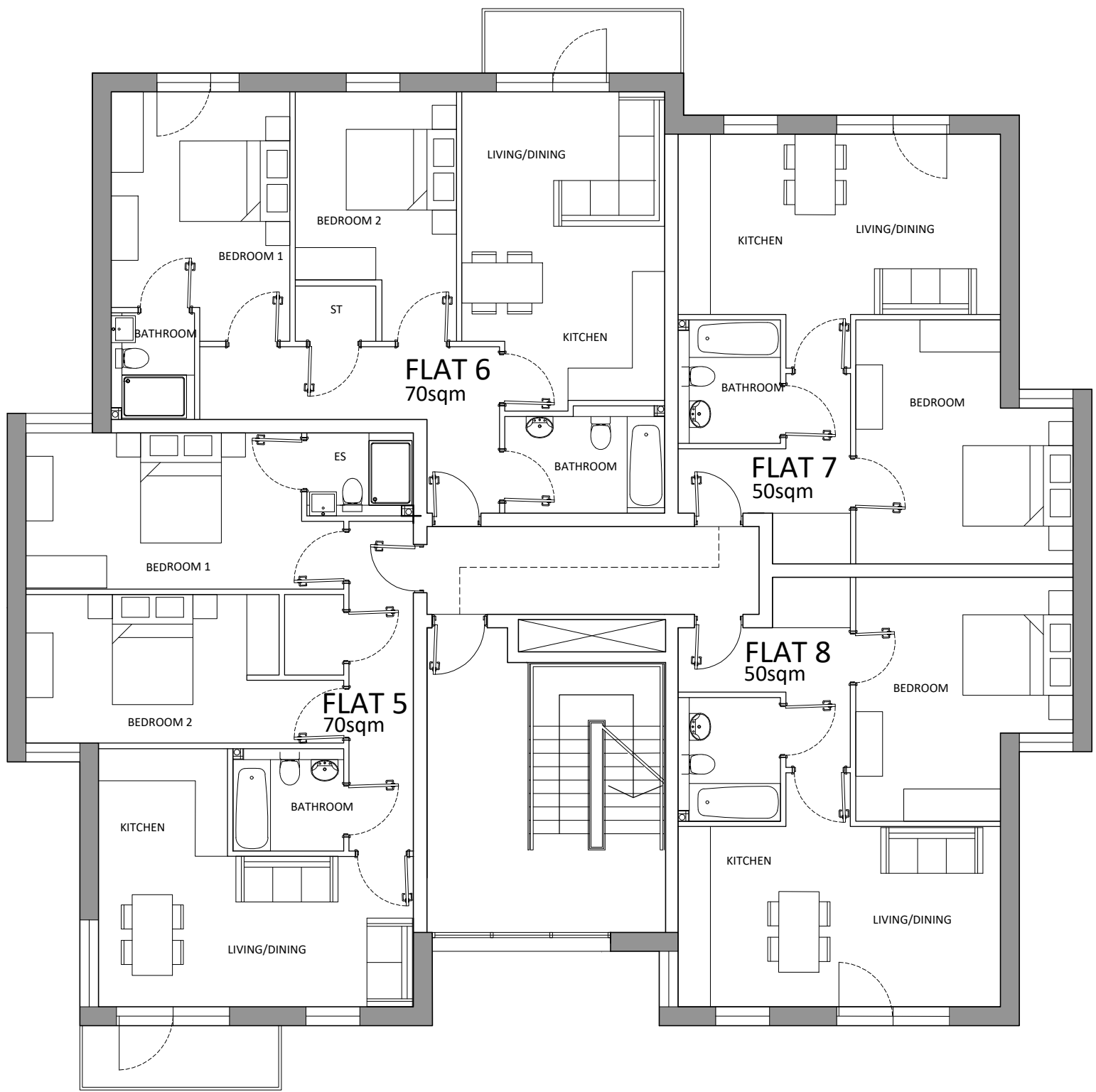
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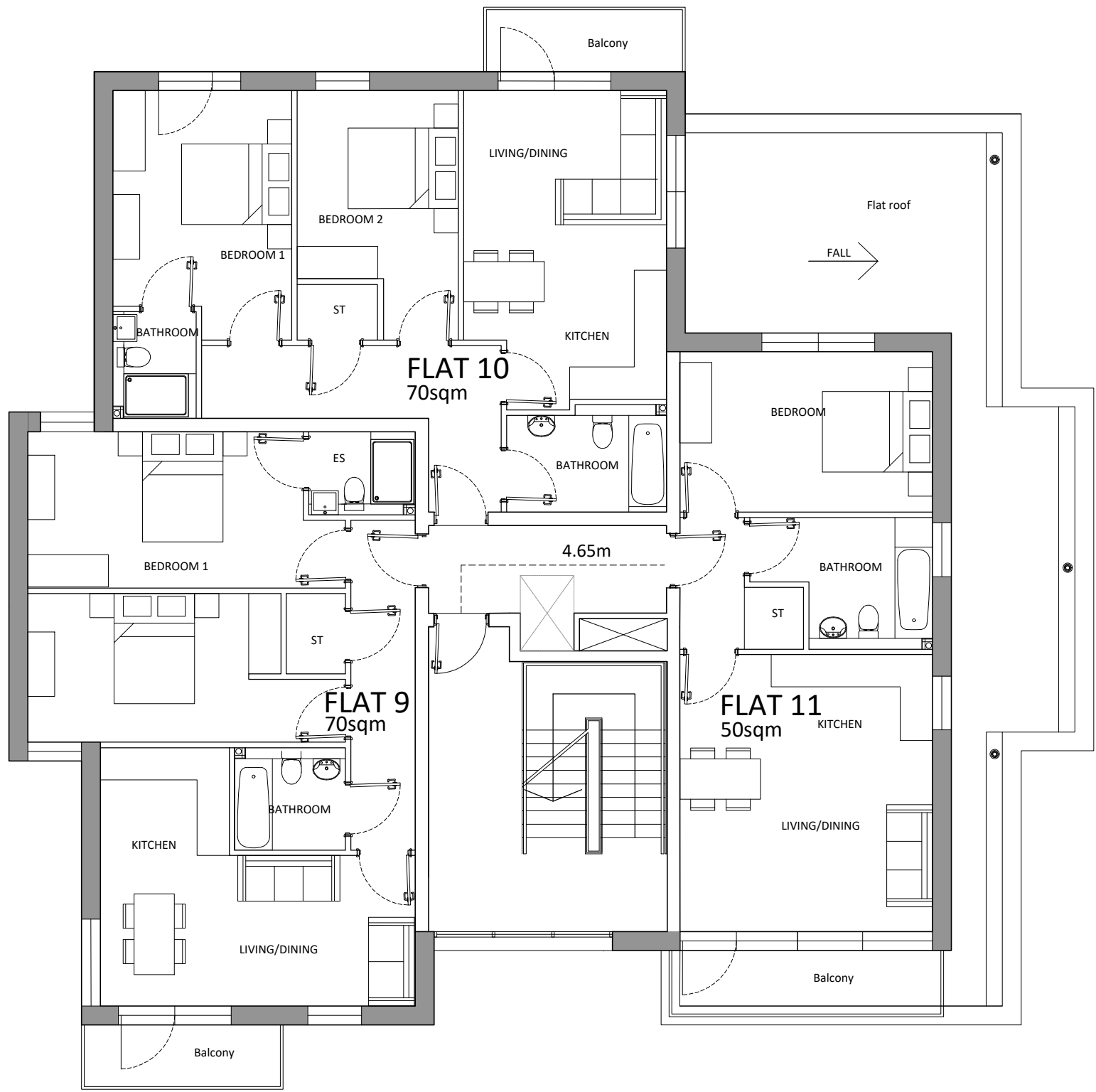




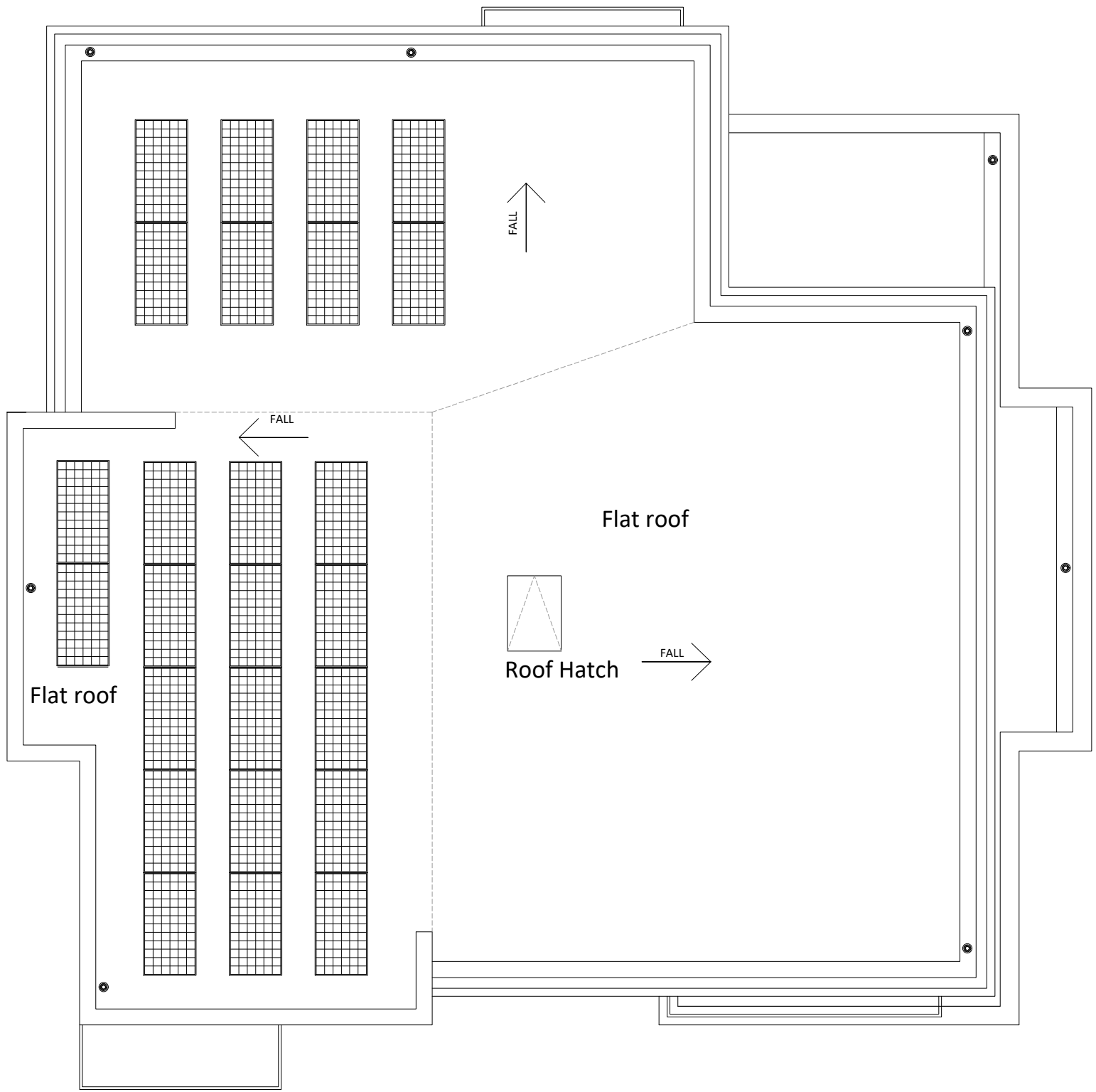
GROUND FLOOR PLAN



FIRST FLOOR PLAN

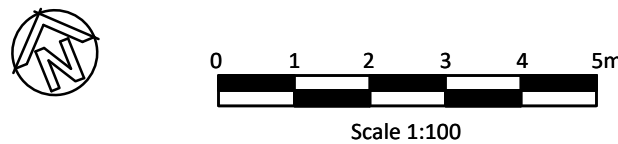


SECOND FLOOR PLAN



ROOF PLAN

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Rev.	Date	Details	Drawn	Checkd
AL	01/07/20			

Rev.	Date	Details	Drawn	Checkd
AL	01/07/20			

Issued for:

**PLANNING**

Drawing: BLOCK C PLANS

Project No: 19062

Scale: 1:100 @A1

Dwg No: P014

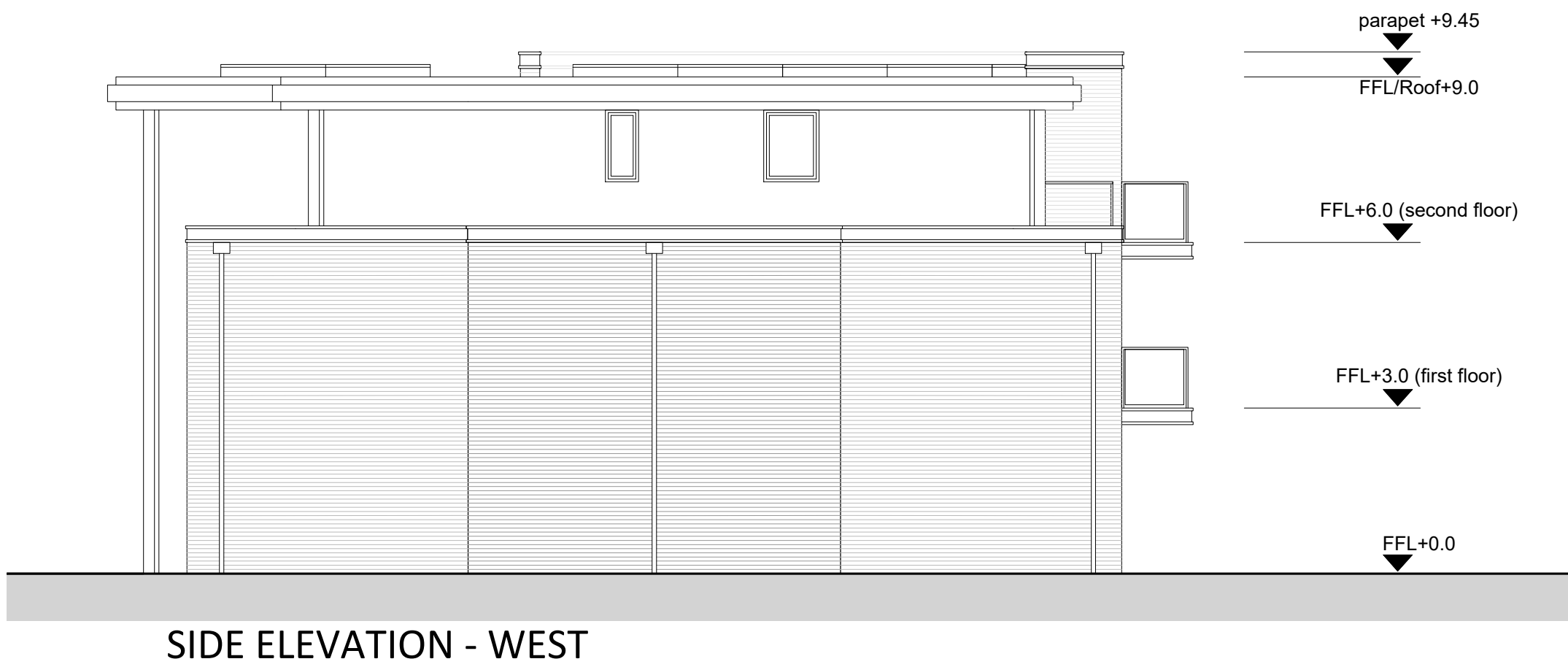
Rev:

Project/Client: 215-225 Barrack Road Christchurch

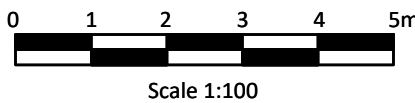
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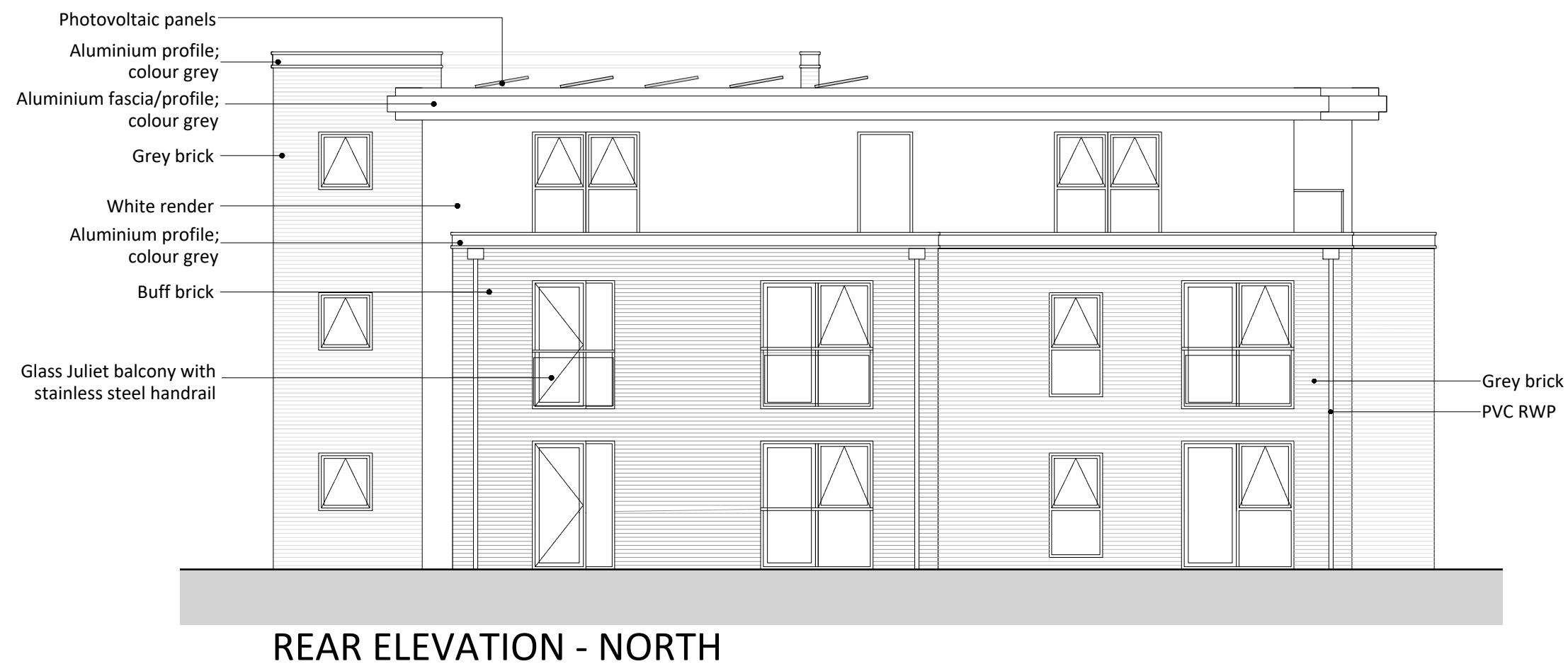
B	19.10.21	removd balconies to rear elevation	AL	
A	24.03.21	Amendments to side elevations annotation	AL	
Rev.	Date	Details	Drawn	Checkd
Drawn By:		Date:	Checked By:	Date:
AL		01/07/20		

Issued for:		PLANNING	
Drawing:		Project No:	
BLOCK A		19062	
ELEVATIONS		Scale:	
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Project/Client:		Dwg No:	
215-225 Barrack Road		P020	
Christchurch		Rev: B	

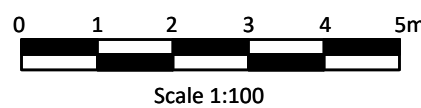
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Rev.	Date	Details	Drawn	Checkd
AL	01/07/20			

Rev.	Date	Details	Drawn	Checkd
AL	01/07/20			

Issued for:

**PLANNING**

Drawing: BLOCK B ELEVATIONS

Project No: 19062

Scale: 1:100 @A1

Dwg No: P021

Rev:

Project/Client: 215-225 Barrack Road Christchurch

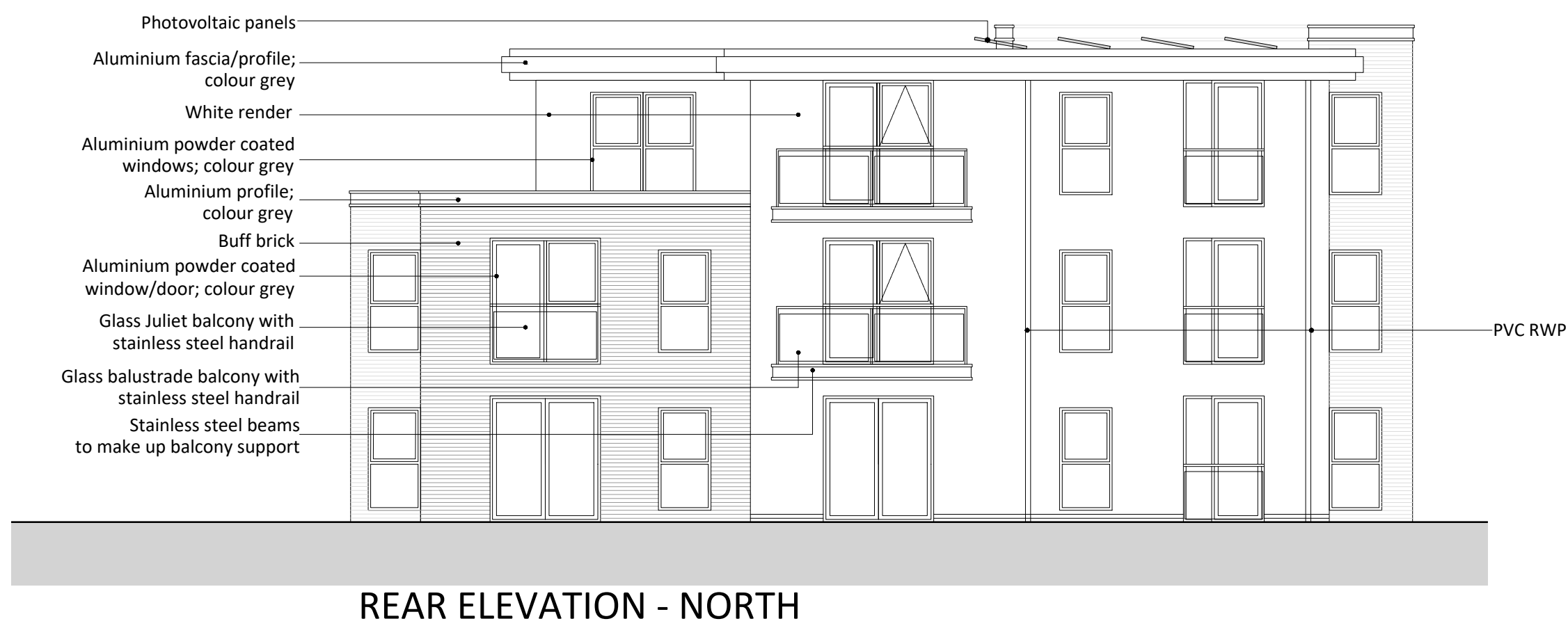
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T: (01425) 655806

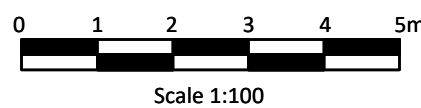
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A 15.03.21 amendments to side elevations annotation		AL	
Rev.	Date	Details	
Drawn By:	Date:	Checked By:	Date:
AL	01/07/20		

Issued for:	
PLANNING	
Drawing:	Project No:
BLOCK C	19062
ELEVATIONS	Scale:
	1:100 @A1
Project/Client:	Dwg No:
215-225 Barrack Road	P022
Christchurch	Rev: A

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227 Barrack Road | Proposed Block A | Car Park | Proposed Block B | Car Park | Proposed Block C | 211-213 Barrack Road

1 01\_Street Elevation



227 Barrack Road | Proposed Block A | Car Park | Proposed Block B | Car Park | Proposed Block C | 211-213 Barrack Road

2 02\_Site Section

Notes:

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- All setting out dimensions should be checked on-site prior to construction and any discrepancies and/or omissions should be reported to the Architect immediately

Rev.	Date	Details	Drawn	Chkd
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Rev.	Date	Details	Drawn	Chkd
Drawn By:	Date:	Checked By:	Date:	
RW	08.07.20	AL	08.07.20	

Issued for:

**PLANNING**

Project/Client:  
215-225 Barrack Road

Project No:  
19062

Scale:

Drawing:  
Street Scene

Dwg No:  
P040

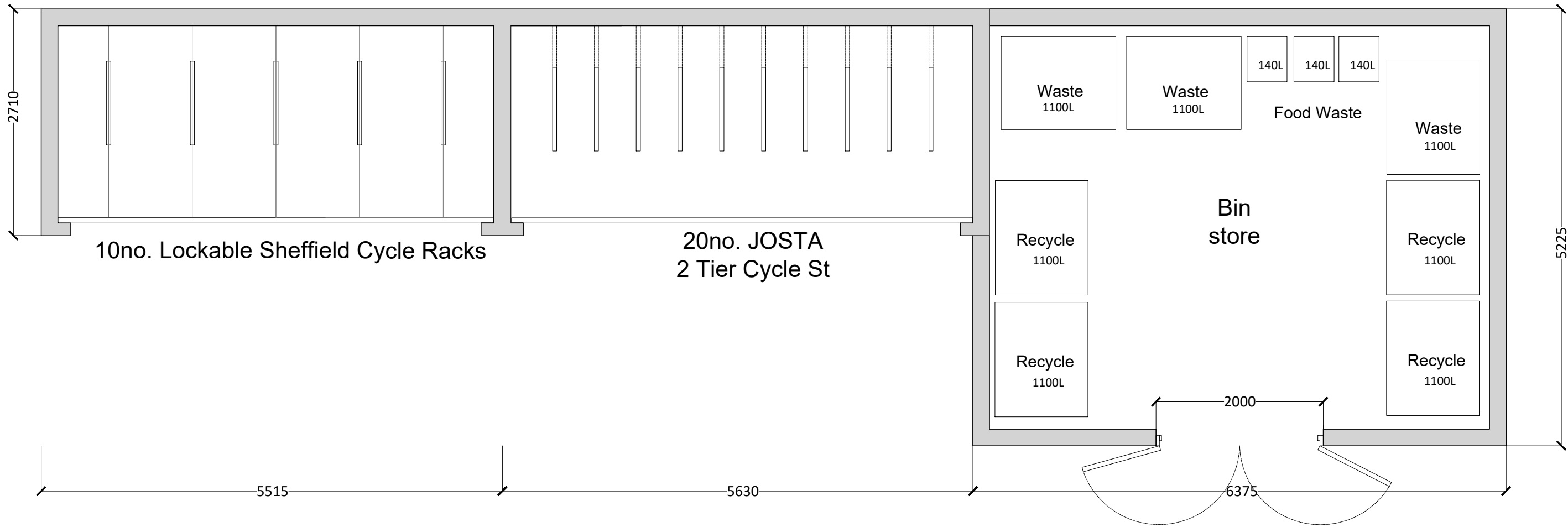
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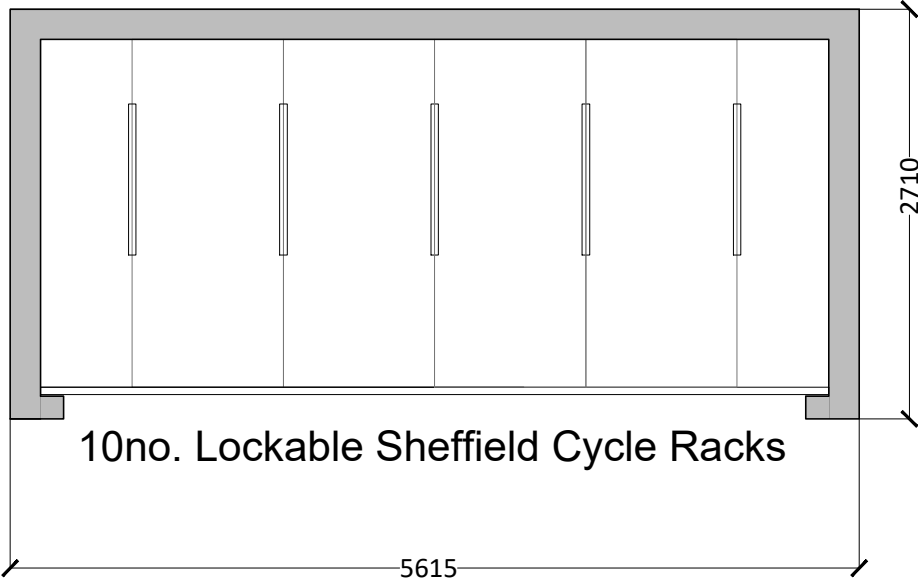


CYCLE STORE AND BIN STORE

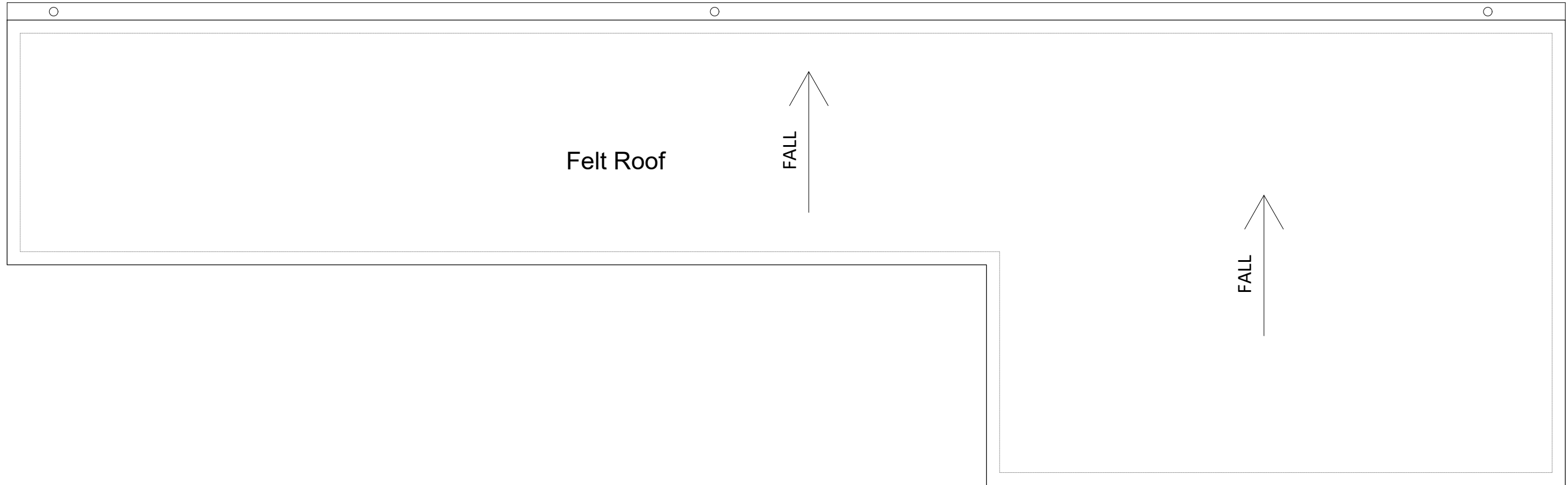


GROUND FLOOR PLAN

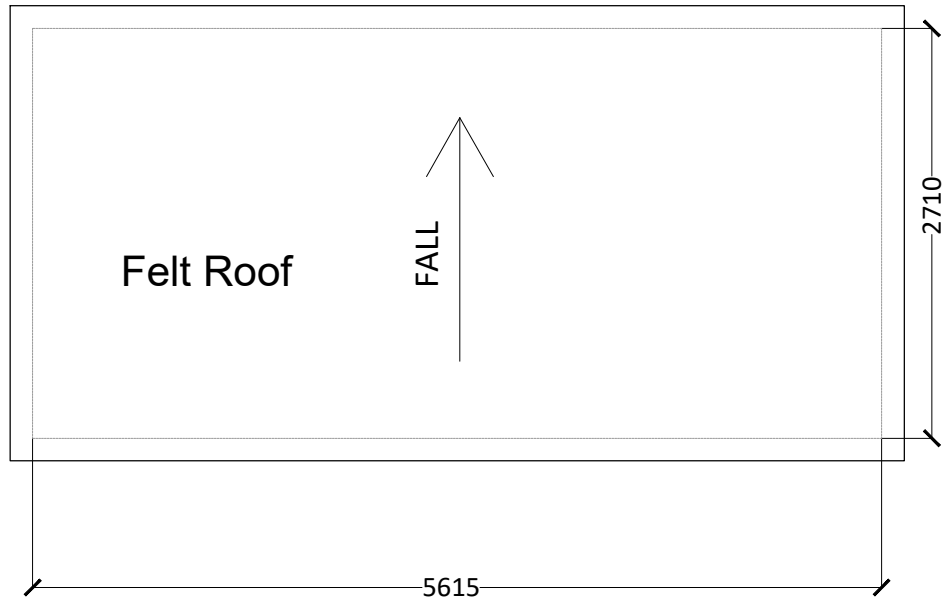
BIKE STORE



GROUND FLOOR PLAN

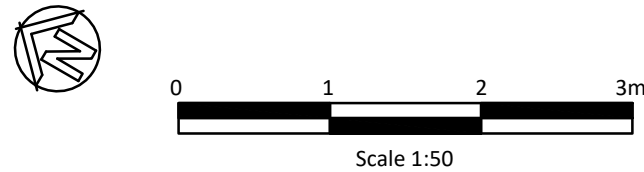


ROOF PLAN



ROOF PLAN

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Rev.	Date	Details	Drawn	Checked
AL	26.01.21		AL	

C	22.10.21	Revised Cycle Stores	AL	
B	26/01/2021	Additional sheffield cycle store	AL	
A	19.11.20	Addition of Bat shelters, Sparrow houses and Bee bricks	AL	
Rev.	Date	Details	Drawn	Checked
Drawn By:		Date:	Checked By:	Date:
AL		26.01.21	AL	

Issued for:

**PLANNING**

Drawing: Cycle / Bin Store Plans

Project No: 19062

Scale: 1:50 @A1

Project/Client: 215-225 Barrack Road Christchurch

Dwg No: P051

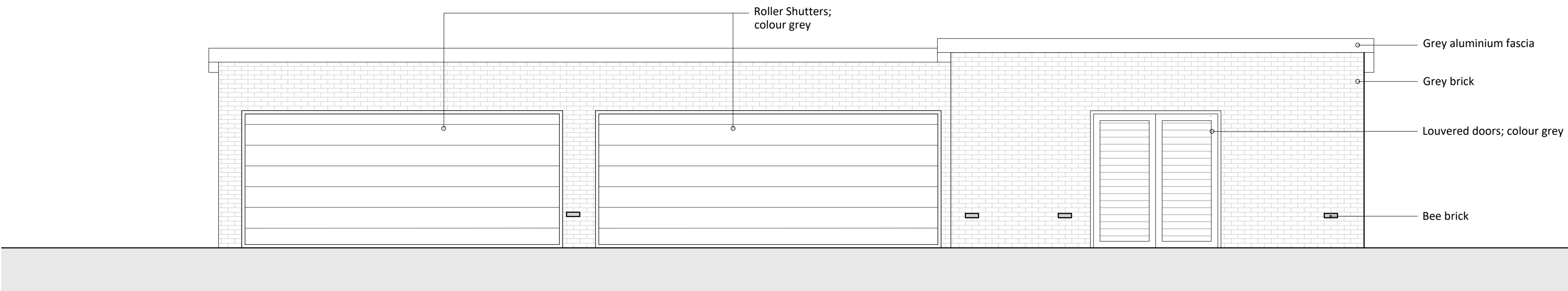
Rev: C

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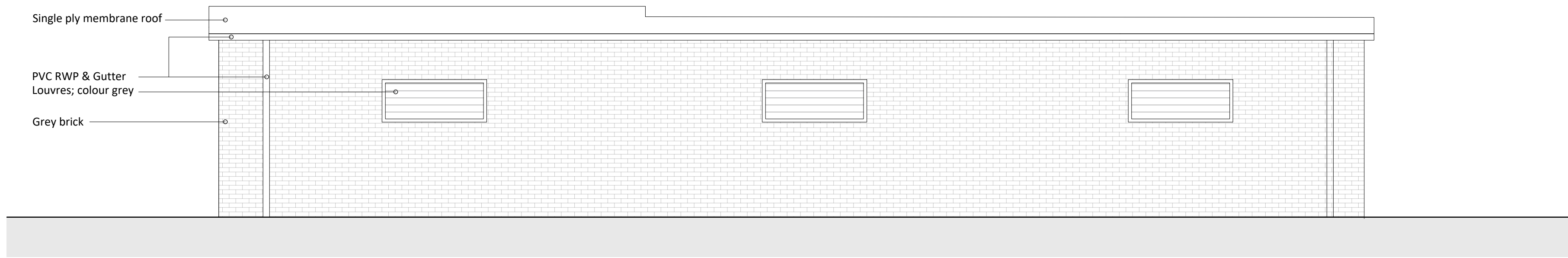
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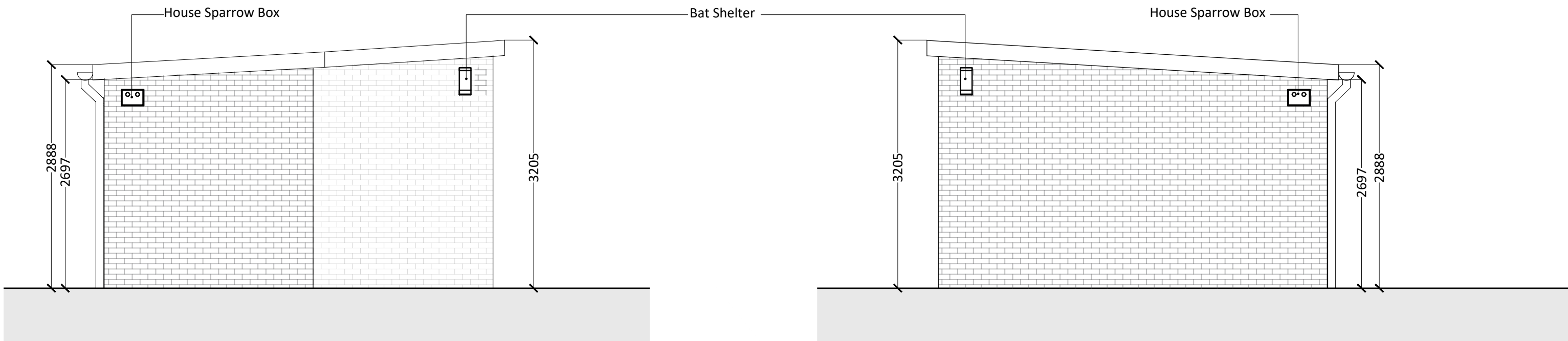
CYCLE STORE AND BIN STORE



SOUTH ELEVATION



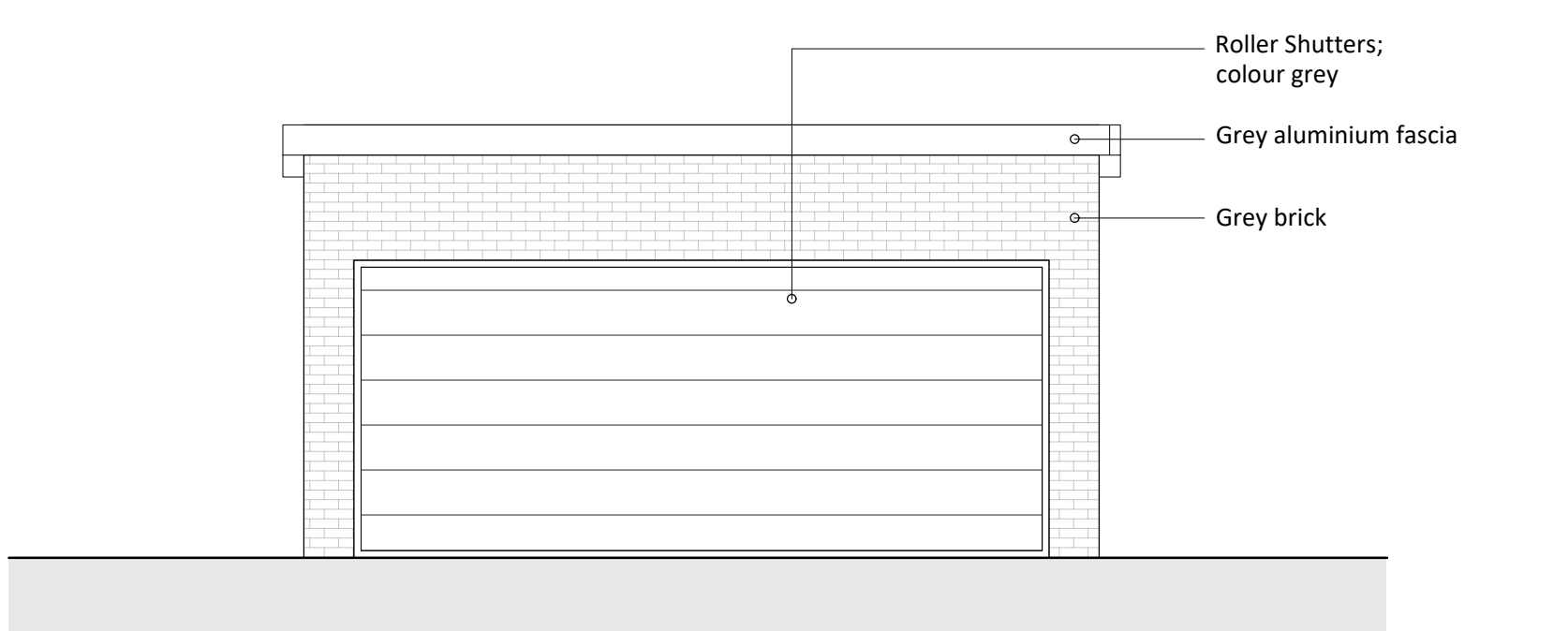
NORTH ELEVATION



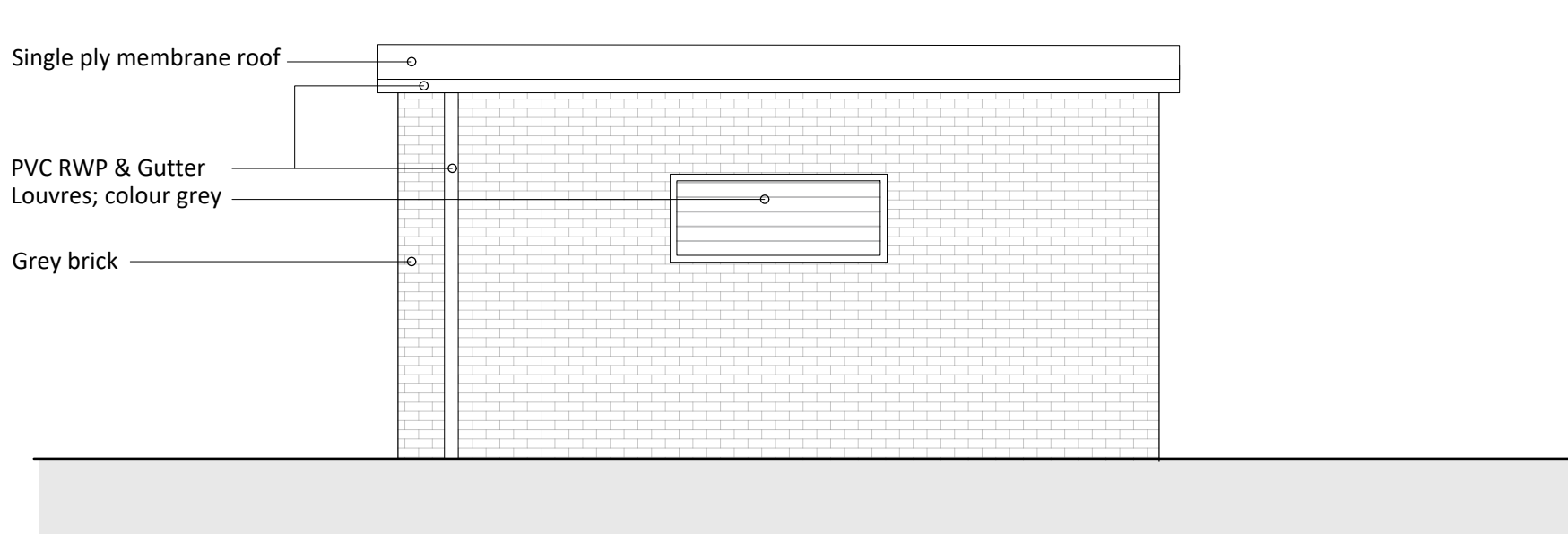
EAST ELEVATION

WEST ELEVATION

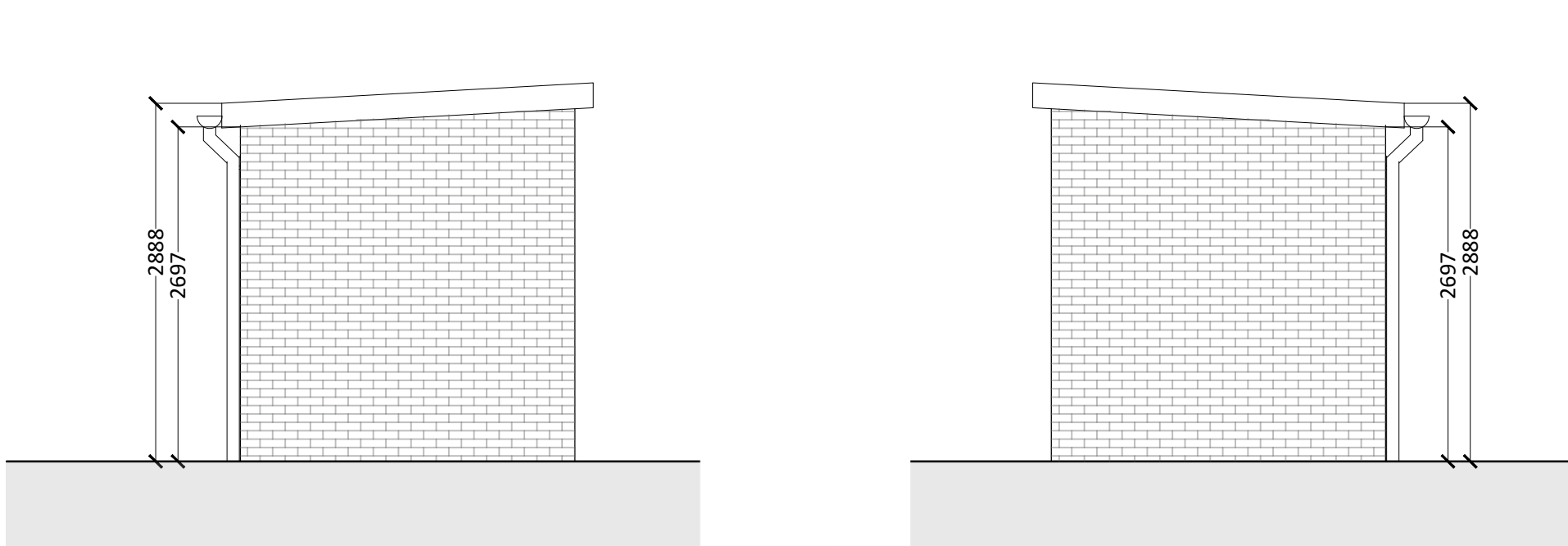
BIKE STORE



SOUTH ELEVATION



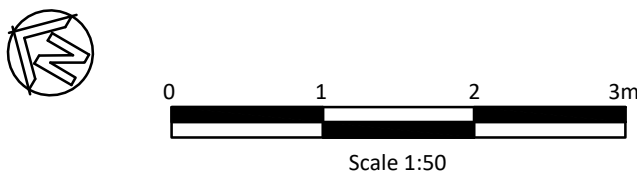
NORTH ELEVATION



EAST ELEVATION

WEST ELEVATION

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AL	26.01.21		AL	

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B	26/01/2022	Additional sheffield cycle store	AL	
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Rev.	Date	Details	Drawn	Checked
Drawn By:		Date:	Checked By:	Date:
AL		26.01.21	AL	

Issued for:

**PLANNING**

Drawing: Cycle / Bin Store Elevations

Project No: 19062

Scale: 1:50 @A1

Dwg No: P051

Rev: C

Project/Client: 215-225 Barrack Road Christchurch

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# Planning Committee

Application Address	40 Evelyn Road, Bournemouth, BH9 1SZ
Proposal	Outline submission for the demolition of existing building and erection of a single and 2 storey block of five flats together with associated parking and access - Revised scheme
Application Number	7-2021-13110-D
Applicant	Addis Homes Ltd
Agent	Spruce Town Planning Ltd
Date Application Valid	6 August 2021
Decision Due Date	30 September 2021
Extension of Time date (if applicable)	26 November 2021
Ward	Moordown
Report Status	Public
Meeting Date	18 November 2021
<b>Recommendation</b>	<b>GRANT, in accordance with the recommendation in the report</b>
Reason for Referral to Planning Committee	20+ objections received, contrary to recommendation
Case Officer	Tom Hubbard

1. Outline planning consent is sought for the demolition of the existing building and erection of a 2 storey building of 5 flats with bin and cycle stores, formation of vehicular access and parking spaces (revised scheme). Consent is sought on matters of access, layout and scale, with appearance and landscaping reserved matters.
2. Despite the outline status of the application, detailed plans have been provided including elevations and other supporting information.

## Key Issues

3. The main considerations involved with this application are:
  - Principle of the proposed development
  - Impact on the character and appearance of the area
  - Impact on neighbouring resident

- Living conditions for future occupants
  - Parking/traffic/highway safety considerations
4. These points will be discussed as well as other material considerations at paragraphs 22 to 58 below.

## **Planning Policies**

### **5. Core Strategy (2012)**

Policy CS1 – Presumption in Favour of Sustainable Development  
 Policy CS4 – Surface Water Flooding  
 Policy CS16 – Parking Standards  
 Policy CS18 – Cycling  
 Policy CS21 – Housing Distribution Across Bournemouth  
 Policy CS33 – Heathland  
 Policy CS41 – Quality Design

### **6. District Wide Local Plan (2002)**

Policy 4.25 - Landscaping  
 Policy 6.10 – Flats Development

### **7. Supplementary Planning Documents:**

Dorset Heathlands Planning Framework SPD 2020  
 Residential Development: A Design Guide – PGN (2008)  
 Sustainable Urban Drainage Systems (SUDS) - PGN  
 BCP Parking Standards – SPD (2021)

### **8. The National Planning Policy Framework (2021)**

Paragraph 11 sets out the presumption in favour of sustainable development. Plans and policies should apply a presumption in favour of sustainable development. For decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### **9. The following chapters of the NPPF are also relevant to this proposal:**

- Chapter 2 – Achieving sustainable development
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places

- Chapter 16 – Conserving and enhancing the historic environment

### **Relevant Planning Applications and Appeals:**

10. 7-1983-13110 – Alterations & single storey extension to dwellinghouse to form bathroom & conversion to 2 self-contained flats – Granted
11. 7-2020-13110-A - Outline submission for the demolition of the existing building and erection of a 3 storey building of 6 flats with bin and cycle stores, formation of vehicular access and parking spaces – Withdrawn
12. 7-2020-13110-B - Outline submission for the demolition of the existing building and erection of a 3 storey building of 6 flats with bin and cycle stores, formation of vehicular access and parking spaces (revised scheme) – Refused:
  - Poor design
  - Over-intensive use
  - Out of keeping
  - Harmful to the character and appearance of the area
  - Poor living conditions for future occupants
  - Impact on neighbouring residents
13. 7-2021-13110-C – Erection of a dwellinghouse with associated access and parking – Concurrent application, undetermined

### **Public Sector Equalities Duty**

14. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **Representations**

15. Site notices were posted in the vicinity of the site on 21/01/2021 with an expiry date for consultation of 12/02/2021.
16. 31 representations have been received from 25 addresses. All raise objections. The issues raised comprise the following:-

*Parking shortfall*

*Highway safety concerns*

*Impact on neighbouring property – privacy, light, outlook*

*Development out of keeping – size too large, poor design*

*Development out of keeping in an area of family dwellings*

*Noise and disturbance*

*Lack of amenity space*

*Demolition of perfectly good building*

*Other application for an additional house on the site is preferred/more in keeping*

*Drainage/flooding concerns*

17. A response has also been received from the Bournemouth Civic Society, stating that they consider it to be an improvement on previous proposals, but still too large so objections remain.

### **Consultations**

18. Local Highway Authority – No objections, subject to conditions.
19. Waste and Recycling – Bin store doors not wide enough, no dropped kerb: private collection required.

### **Constraints**

20. There are no site-specific constraints.

### **Planning Assessment**

#### **Site and Surroundings**

21. The site is located within an area of north Bournemouth known as Moordown, which is mainly residential in character. It comprises an early 20<sup>th</sup> century suburb containing mainly detached two storey dwellinghouses of similar scale and design. There is some infill bungalow development evident, and some properties contain two flats, but the predominant form of development is detached single dwellings set close together but with good size rear gardens. The application site contains a detached property which was converted to two flats in the 1980s. It is located on a corner plot with Coronation Avenue, which is wide at the front but tapers to the rear.

### **Key Issues**

#### **Principle of the proposed development**

22. Both paragraph 11 of the NPPF, and CS1 of the Core Strategy place a presumption in favour of sustainable development. The site is considered acceptable in principle for residential intensification, as acknowledged by Policy CS21 of the Core Strategy because it is within 400 metres of a designated District Centre (Moordown) and a key transport route (Wimborne Road). The development would make a contribution towards local housing supply in a sustainable location on an under-used site. Paragraph 124 of the NPPF states “*planning policies and decisions should support development that makes efficient use of land*”.
23. The existing property contains two x 1 bedroom flats so would not result in the loss of a family dwellinghouse. The site has no specific constraints that would preclude

redevelopment for more intensive residential use, subject to assessment of the other material considerations below.

#### Impact on character and appearance of the area

24. As outlined above, there is recent planning history on the site, so it is helpful to establish the differences, some of which are set out in the table below:

	Existing building	Recently refused scheme	Current proposal
Number of units	2 flats	6 flats	5 flats
Internal floor area	99sqm	297sqm	244sqm
Eaves height (main building)	5.8 metres	5.8 metres	5.5 metres
Ridge height (main building)	8.1 metres	8.6 metres	8.45 metres
Frontage width to Evelyn Road	6.45 metres	12.75 metres	11 metres
Parking spaces	0	2	2

#### *Policy considerations*

25. Policy 6.10 of the Bournemouth District Wide Local Plan advise that flats development will be permitted except where it would fail to respect the character of the area or the amenities of local residents.
26. Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) seeks to ensure that all development is well designed and of a high quality and states that development should enhance the character and local distinctiveness of the surrounding area. In addition, development which by virtue of its design would be detrimental to the built environment, amenity or character will not be permitted. Policy CS21 of the core strategy also states the proposals should be of a good design and that it should contribute positively to the character and function of the neighbourhood.
27. Section 12 of the NPPF relates to Achieving well-designed places. Paragraph 130 relates to good design, including ensuring that developments (amongst other criteria):

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*  
*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*  
*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

#### *Scale/Mass/Bulk*

28. It is proposed to demolish the existing building on the site and replace with a larger block of five flats. There is no objection in principle to the loss of the existing building, subject to an acceptable replacement scheme. The application follows two previous applications for blocks of six flats, the first of which was withdrawn and the second was refused in July 2021. It was refused for the following reasons:

*It is considered that the proposed redevelopment for six residential units, by reason of the scale, height, mass, design, layout, number and size of units would result in a poorly designed, congested and over-intensive use of the site that would be out of keeping with the general character of the locality, would provide a poor standard of living for future occupants and would be harmful to the residential amenities of neighbouring residents. The*



*proposal would therefore be contrary to the provisions of the NPPF, the aims of Policy 6.10 of the District Wide Local Plan and Policies CS21 and CS41 of the Bournemouth Local Plan: Core Strategy (2012), and the Council's Residential Development Design Guide (Adopted September 2008).*

29. The proposed development would therefore clearly need to overcome those reasons for refusal.
30. The proposal is a two storey block of flats fronting Evelyn Road. The scale of the building drops to the rear from two storeys to single storey. The proposed building is larger in footprint than the existing building. At the front the proposed building will be nearly twice as wide as the existing building (11m compared to 6.45m). The proposed block of flats would be around 6.9 metres deeper at the rear than the existing building (not including the existing single storey flat roof addition), although only around 2 metres deeper at first floor level, meaning the majority of this additional depth would be single storey in height. It would not be significantly deeper overall than number 42 to the north east.
31. To reflect the shape of the site the proposed block would narrow a little to the rear, although there are corners where it would still be relatively close to the side boundary of the site to Coronation Avenue. The closest point from the boundary of the site would be approximately 1.4 metres from the rear corner of the single storey element at the rear, or 2.35 metres from the rear corner of the main two storey element of the building. There is a small bin store also shown on the site plan as part of the footprint, which is adjacent to the side of the building and close to the edge of the site. It is considered that the size of the site can accommodate the building proposed, and the proximity to the boundary would not appear harmful in the context of the area with no distinct building lines, and the tapered nature of the site.
32. The front of the building on Evelyn Road would have a symmetrical appearance akin to a pair of semi-detached properties. Although dwellings in the area are mainly detached, there are other semi-detached properties evident in the area such as number 46-48 Evelyn Road for example. It is therefore considered that the scale and design would not be out of keeping in this respect.
33. The street scene indicates that the eaves height is very similar, or slightly lower than neighbouring properties to the north and the ridge height is about 4-700mm higher. The roof is fully hipped with no flat roof sections so would not appear out of keeping. One of the main improvements over previous schemes is the removal of the sixth flat in the roof of the development, so that it maintains a fully two storey scale. The minor increase in ridge height reflects the larger footprint of building, but on a corner plot such as this would not be viewed as incongruous or out of keeping.

#### *Design*

34. Although appearance is a reserved matter, detailed drawings have been provided and it is unlikely that the design would change significantly at the reserved matters stage. The proposed design aims to match the features of other properties in the area, including the provision of canted bay windows on the front elevation for example.
35. One of the other improvements is that the width at the front has been reduced further to maintain the domestic scale and appearance. As stated above it will have the appearance of a pair of traditional semi-detached properties. The design has been simplified to a simple two storey building at the front and single storey section to the rear which has overcome previous design concerns.

#### *Intensity of use*

36. It is not an area that is characterised by purpose built blocks of flats. The previous scheme for six flats was refused in part because it was considered it would be out of keeping with the general character of the area in terms of the intensification of residential use on the site as well as the size, design and appearance of the site emphasising the appearance as a block of flats. This is also the basis of many of the public objections.
37. Although this scheme only offers a reduction of one flat, to five in total (three more than existing), it is considered that the design and scale improvements go some way to overcoming these concerns. The size and design of the block is more in keeping with the suburban domestic scale of the area, for example with no flat in the roof. Removing one of the units will reduce the intensity of use to a level that is acceptable on balance. This is comparable for example with a block of five flats granted in 2007 at the other end of Evelyn Road (no. 103, around 300m away), which also appears as a large single dwelling from the front with a comparable eaves and ridge height to neighbouring development. The development on no. 103 was also approved following an appeal for a 6 flat scheme which was dismissed.

#### *Site layout/other*

38. At the rear of the plot a cycle store is proposed, which is a low single storey structure that would not be incongruous. Two tandem car parking spaces are provided, which would not take up too much of the site frontage and would retain a good size garden area to the plot. Adjacent to the front entrance on Coronation Avenue is a bin store and Sheffield stands for cycles. The plans indicate that the Evelyn Road side and Coronation Avenue corner would have a low boundary wall and hedging behind, which would be in keeping with other boundary treatments in the area.

#### *Overall*

39. Overall, it is considered that the proposal overcomes the reasons for refusal of the previous scheme in terms of the scale, mass bulk, design and intensity of use. This proposal, although larger than the existing building on the site and closer to the side boundary, would assimilate into the street scene in an acceptable manner and would retain the two storey domestic scale of the locality. The existing site is wide at the front and can accommodate the development proposed. The rear element which is closer to the road is single storey only in height. The proposed development would not therefore be harmful to the character and appearance of the area and would accord with the aims of Policies CS21 and CS41 of the Bournemouth Local Plan: Core Strategy (2012), Policy 6.10 of the Bournemouth District Wide Local Plan (2002), and the relevant sections of the NPPF.

#### Impact on neighbouring residents

40. The site occupies a corner plot. The only directly adjoining neighbour is number 42 Evelyn Road to the north east of the site. There is also a very slight boundary overlap with 66 Coronation Avenue to the rear end of the site.
41. The proposed block of flats would be deeper than the existing building. To the rear it would extend out up to 6.9 metres further than existing. The height however does drop down to a lower single storey height for the rearmost section, with an eaves height of 2.8 metres. The peak ridge height of this element is slightly high at 6 metres, but with a fully hipped form.
42. Number 42 Evelyn Road has a ground floor extension of generally similar depth to the proposed block of flats (the flats will be around 2m deeper). At first floor level there are two bedroom windows, one facing to the rear and one facing to the side over the application site. The two storey section of the proposed building would not intersect the guideline 45 degree angle from the rear facing first floor window. The rear single storey section of the proposal has a lower eaves and ridge height than the previously refused application, and is

also set slightly further from the boundary. The neighbour's side facing window would be around 4.8m from the side of this single storey section. The applicant has demonstrated that it would meet BRE guidelines in terms of light and sky view. It is therefore considered that there would not be a harmful impact on light or outlook to this neighbour and that this proposal overcomes the concerns on the previously refused application in this respect. The larger building would be visible but not overbearing or materially harmful to this neighbouring property.

43. There is a side facing bathroom window proposed, but this can be obscure glazed to prevent overlooking, and would not directly face any neighbouring windows in any case.
44. It is not considered that there would be a direct impact on any other adjacent properties in the area. It is therefore considered that the proposed development would accord with the aims of the relevant policies, including CS21, CS41 and 6.10.

#### Living conditions for future occupants

45. The proposed development provides five x 1 bed flats, all of which are 41-42sqm in size. This is not an ideal mix considering the character of the area. The two existing flats on the site are one bedroom units however, and there is no strict policy requirement to provide an alternative mix in this location. Therefore, it is not considered that there would be any planning basis to refuse the application in this regard given the relatively minor number of additional units.
46. The proposed flats are relatively small units. The Government's 'Technical Housing Standards – Nationally Described Space Standard' indicates a minimum size of 39sqm for this type of unit where a bathroom is provided. Although the LPA has not adopted these space standards, they are considered increasingly important, as recognised by the requirement for prior approval conversions to meet these standards. In this case the flat sizes exceed the basic minimum for a 1bed 1 person flat. The layout of the flats and the levels of light and outlook are also considered to be acceptable.
47. Ground floor flats would have small external terrace areas. There is also a retained garden area to the north of the property and some more space to the side at the front. Overall, it is considered that the proposal would provide a satisfactory standard of living conditions for future occupants, meeting the aims of the relevant policies, including CS21 and CS41.

#### Parking/traffic/highway safety considerations

48. The BCP Council adopted the new Parking Standards Supplementary Planning Document (SPD) on 5 January 2021, which came into immediate effect. The SPD takes a new zonal approach to parking standards. The site falls within Zone B of this document. For the proposal to satisfy Core Strategy Policy CS16, car parking provision including the layout and design should be in accordance with this Parking Supplementary Planning Document (SPD), adopted Jan 2021.

##### *Car parking provision:*

49. For the proposed flats the benchmark parking standards are outlined in the SPD Table 9 C3: for flats with <3 habitable rooms in zone B it is zero; the provision of 2 on-site car parking spaces therefore exceeds this, but not excessively so and is therefore considered acceptable. There is no specific requirement for disabled parking bays for a scheme of this size and in this location according to the Parking SPD.
50. The most commonly occurring subject of objection relates to car parking concerns. However, the relevant parking standards indicate that zero parking would be accepted in

this location. In addition, there appears to be some on street parking capacity in the immediate vicinity of the site in any case due to the long garden frontages of the application property and that on the opposite side of Coronation Avenue.

*Car parking layout:*

51. The proposal involves the car parking arrangement of 2 side by side car parking bays with a crossover/dropped kerb length of 5.2m. At the other ends of the bays 2mx2m visibility splays are required with no obstruction over 0.6m high. These are shown on the plan, so there is no highway objection in this regard.
52. The cycle store is acceptable in terms of size and cycle provision (8 cycle spaces). However, the northern most door opens partly onto the public highway, this is contrary to the Highway Act 1980, no doors/windows/gates/bars are allowed to open onto the public highway. This can be amended with a different design of door or putting the hinges to the other side and can be dealt with by condition.
53. Electric car charging facilities would need to be provided. In line with Policy CS17, the council expects the inclusion of charging points for electric vehicles in all new developments. In residential development less than 10 spaces, 20% should be with active charging points and the remainder with passive charge point provision. Again, this can be secured by condition.
54. The applicant would need to fully fund the reinstatement of any redundant/parts of the sites existing crossover(s) back to footway.
55. Overall, there is no highway objection as the Local Highway Authority believes that there is sufficient scope for the applicant to satisfactorily address the above requirements and therefore could be conditioned if the application is to be approved.

Waste/recycling

56. A bin store is provided on the side elevation, within satisfactory distance of the street frontage for collection. For Council collection the access width of the doors would need to be increased in size, and a dropped kerb provided adjacent to the access. More information has been requested in this regard, but at the present time a condition has been added for a refuse management plan (condition 8).

Drainage/flooding

57. The site is not in a location which is known to be at significant risk of surface water flooding. A drainage plan has been provided indicating that surface water from the development will go to a soakaway at the rear of the site. The exact capacity of the soakaway and the design have not been provided at this stage, but this is acceptable in principle to meet the requirements of Policy CS4, subject to a condition (condition 9) to provide the final detailed scheme at a later date.

Heathland Mitigation

58. The site is within 5km of a designated Dorset Heathlands SPA (Special Protection Area) and Ramsar Site, and part of the Dorset Heaths candidate SAC (Special Area of Conservation). Working in collaboration with Dorset Council and with advice from Natural England, BCP Council has adopted the Dorset Heathlands Planning Framework 2020 – 2025 Supplementary Planning Document, the purpose of which is to set out the approach to avoid or mitigate harm to these protected sites. In this instance, it is considered that the

proposal is likely to have a significant effect on the Dorset Heathlands; however, having undertaken an appropriate assessment it is believed that the integrity of these sites can be maintained provided appropriate mitigation is secured. In this case, a financial contribution of £813 plus an administration fee of £75 is considered necessary for the purposes of such mitigation; such contribution to be secured by way of an appropriate planning obligation.

### **Community Infrastructure Levy**

59. The proposed development would be liable for a CIL charge, which would be levied at the Reserved Matters stage.

### **Summary**

60. It is considered that:
- The proposed development would not be harmful to the character and appearance of the area.
  - The proposed development would not have a detrimental impact on the living conditions of neighbouring residents.
  - The proposed development would provide an acceptable standard of living conditions for future occupants.
  - The application would not result in any highway safety or traffic implications.

### **Planning Balance**

61. The proposal would result in a more intensive use of the site, but having regard to the size of the site and the improvements made over the previously refused scheme it is considered that the two storey development proposed would assimilate into the area in an acceptable manner. The flats are all one bed units but meet minimum size standards. The development would therefore make a more efficient use of this site and contribute towards local housing need.
62. The Council is not currently in a position to demonstrate a 5-year housing supply in the Bournemouth area. This means that Paragraph 11 of the NPPF applies. This confirms that permission should be granted unless applying the guidance in the Framework provides a clear reason for refusing the development proposed. In this regard, there are no clear reasons for refusal in relation to areas specified in Footnote 7 (Paragraph 11(d)(i)). Therefore, in consideration of NPPF Paragraph 11(d) ii), any adverse effects of granting permission are not considered to 'significantly and demonstrably' outweigh the benefits.
63. Therefore, having considered the appropriate development plan policy and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring and proposed occupiers and would be acceptable in terms of traffic safety and convenience. The impact on the protected heathland habitats is also mitigated through the S106 contribution. The Development Plan Policies considered in reaching this decision are set out above.

### **Recommendation**

64. **GRANT permission subject to:**
- (a) **The following conditions; and**

- (b) **A deed pursuant to section 106 Town and Country Planning Act 1990 (as amended) securing the terms below with power delegated to the Head of Planning (or any other officer nominated by them for such a purpose) to agree specific wording provided such wording in the opinion of the Head of Planning (or other relevant nominated officer) does not result in a reduction in the terms identified:**

### **Section 106 terms**

Financial contribution of £813, plus a £75 administration fee towards heathland mitigation measures (SAMM)

### **Conditions**

**1. Development to be carried out in accordance with plans as listed**

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

3427 TA XX 00 DR A 0001 Rev. B  
3427 TA V5 00 DR A 0003 P02  
3427 TA XX 00 DR A 0004 Rev. A  
3427 TA V5 00 DR A 0005 P02  
3427 TA V5 ZZ DR A 0125 P03  
3427 TA V5 ZZ DR A 0126 P03  
3427 TA V5 ZZ DR A 0225 P03  
3427 TA V5 ZZ DR A 0275 P03  
3427 TA V5 ZZ DR A 0276 P02  
3427 TA V5 ZZ DR A 0277 P02  
3427 TA V5 ZZ DR A 0278 P03  
3427 TA V5 ZZ DR A 0279 P03

**Reason:** For the avoidance of doubt and in the interests of proper planning.

**2. On site working hours**

All on-site working, including demolition and deliveries to and from the site, associated with the implementation of this planning permission shall only be carried out between the hours of 8 a.m. and 6 p.m. Monday - Friday, 8 a.m. and 1 p.m. Saturday and not at all on Sunday, Public and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To safeguard the amenities of occupiers of adjoining and nearby properties and in accordance with Policies CS14 and CS38 of the Bournemouth Local Plan: Core Strategy (October 2012).

**3. Parking**

Prior to the occupation of the development hereby approved, the access, areas for parking and visibility splays shown on the approved plan shall be constructed in accordance with the approved details and permanently maintained, kept free from obstruction and available for the purposes specified at all times.

**Reason:** In the interests of highway safety and in accordance with Policies CS14 and CS16 of the Bournemouth Local Plan: Core Strategy (October 2012).

**4. Electric vehicle charging points**

Notwithstanding details shown on the submitted plans, prior to the first occupation of the development hereby approved:

- a) Details of the provision of electric vehicle charging points and associated infrastructure shall have been submitted to and approved in writing by the Local Planning Authority; and
- b) The proposed charging points shall be installed in accordance with the approved details.

The electric vehicle charging points shall be permanently retained and kept available for the residents of the development hereby permitted at all times.

**Reason:** In the interests of highway safety and in accordance with policies CS17 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

**5. Cycle store**

Notwithstanding the details shown on the approved plans, prior to the occupation of any part of the development hereby approved, details of revised cycle store access doors which prevent any doors from opening over the public highway shall be submitted to and approved in writing by the Local Planning Authority. The cycle store shall be erected as approved prior to the first occupation of the development and thereafter retained, maintained and kept available for the occupants of the development at all times.

**Reason:** To promote alternative modes of transport and in the interests of amenity in accordance with Policies CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

**6. Bin store**

The bin store hereby approved shall be constructed in accordance with the approved details prior to the occupation of the proposed development and shall be retained and maintained for that use thereafter.

**Reason:** To preserve the visual amenities of the locality in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

**7. Closure and reinstatement of existing access**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) there shall be no vehicular access to or from the site other than that proposed, as shown on the approved plan. All existing and previously existing access(es) to the site shall be closed, and the footway reinstated all prior to occupation of any part of the development and only in accordance with details that have been submitted to and approved in writing by the Local Planning Authority prior to such occupation

**Reason:** In the interests of highway safety and in accordance with Policy CS14 of the Bournemouth Local Plan: Core Strategy (October 2012).

**8. Refuse Management Plan**

The development hereby permitted shall not be occupied until a Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of the management company to be set up; the employment of a private contractor to collect the refuse; measures to be taken if no private contractor is available at any time in the future (such as the employment of a person or persons to ensure bins are wheeled to the collection

point); and that bins will not be stored in the open or at the collection point apart from on the day of collection.

The refuse management plan shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that the proposed development includes a long-term management plan for the collection of refuse in the interests of visual and residential amenities, and to accord with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

## **9. Drainage**

Prior to the commencement of any substructure works on site or such other timescale as has otherwise previously been agreed in writing by the Local Planning Authority, a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS) together with a timetable for such provision, shall be submitted to and approved in writing by the Local Planning Authority. The surface water disposal and SUDS works including all hard surfacing and roofed areas shall be completed in accordance with the approved details prior to occupation of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. The scheme shall include the following:

- a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas.
- b) Details of the method of disposal for all areas including means of treatment or interception for potentially polluted run off.
- c) Scaled drawings including cross section, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required).

**Reason:** To provide satisfactory drainage for the development in accordance with Policy CS4 of the Bournemouth Local Plan: Core Strategy (October 2012) and in order to achieve the objectives set out in the Local Planning Authority's Planning Guidance Note on Sustainable Urban Drainage Systems.

## **10. Drainage hard surface areas**

Any new or replacement hard surfaced area(s) 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 curtilage of the property.

**Reason:** To provide satisfactory drainage for the development in accordance with Policy CS4 of the Bournemouth Local Plan: Core Strategy (October 2012) and in order to achieve the objectives set out in the Local Planning Authority's Planning Guidance Note on Sustainable Urban Drainage Systems.

## **11. Obscure glazed side window**

The proposed first floor window(s) in the north east side elevation of the building shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and fixed shut unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall be permanently retained as such unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent undue overlooking of the adjoining residential property and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).



12. **INFORMATIVE NOTE:** The applicant is advised that there should be no storage of any equipment, machinery or materials on the footway/highway this includes verges and/or shrub borders or beneath the crown spread of Council owned trees.
13. **INFORMATIVE NOTE:** The applicant is advised that in order to avoid contravention of highways legislation, provision shall be made in the design of the access/drive to ensure that no surface water or loose material drains/spills directly from the site onto the highway.
14. **INFORMATIVE NOTE:** The applicant is advised that the development is liable for a payment in respect of heathland mitigation measures secured by an Agreement under Section 106 of the Town and Country Planning Act 1990 in compliance with Policy CS33, as well as the adopted Dorset Heathlands Planning Framework SPD
15. **INFORMATIVE NOTE:** The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at <https://www.bcpccouncil.gov.uk/Planning-and-building-control/Planning-policy/Community-Infrastructure-Levy/Bournemouth/Bournemouth-Community-Infrastructure-Levy.aspx>

### **Statement required by National Planning Policy Framework**

65. In accordance with paragraph 38 of the NPPF the Council takes a positive and proactive approach to development proposals focused on solutions. The Council work with applicants/agents in a positive and proactive manner by:
- offering a pre-application advice service,
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions,

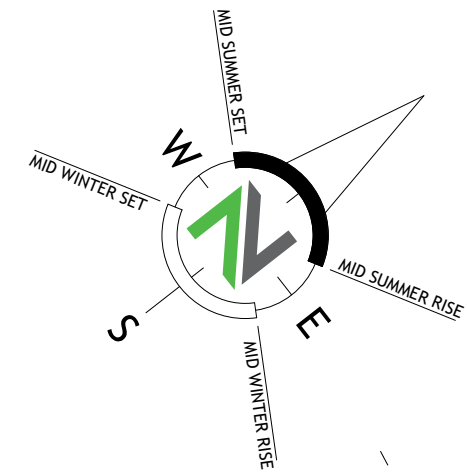
In this instance:

the applicant/agent was updated of any issues after the initial site visit,  
the applicant was provided the opportunity to submit amendments to the scheme/ address issues.

### **Background Documents:**

#### **Case File – ref 7-2021-13110-D**

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
Background Documents

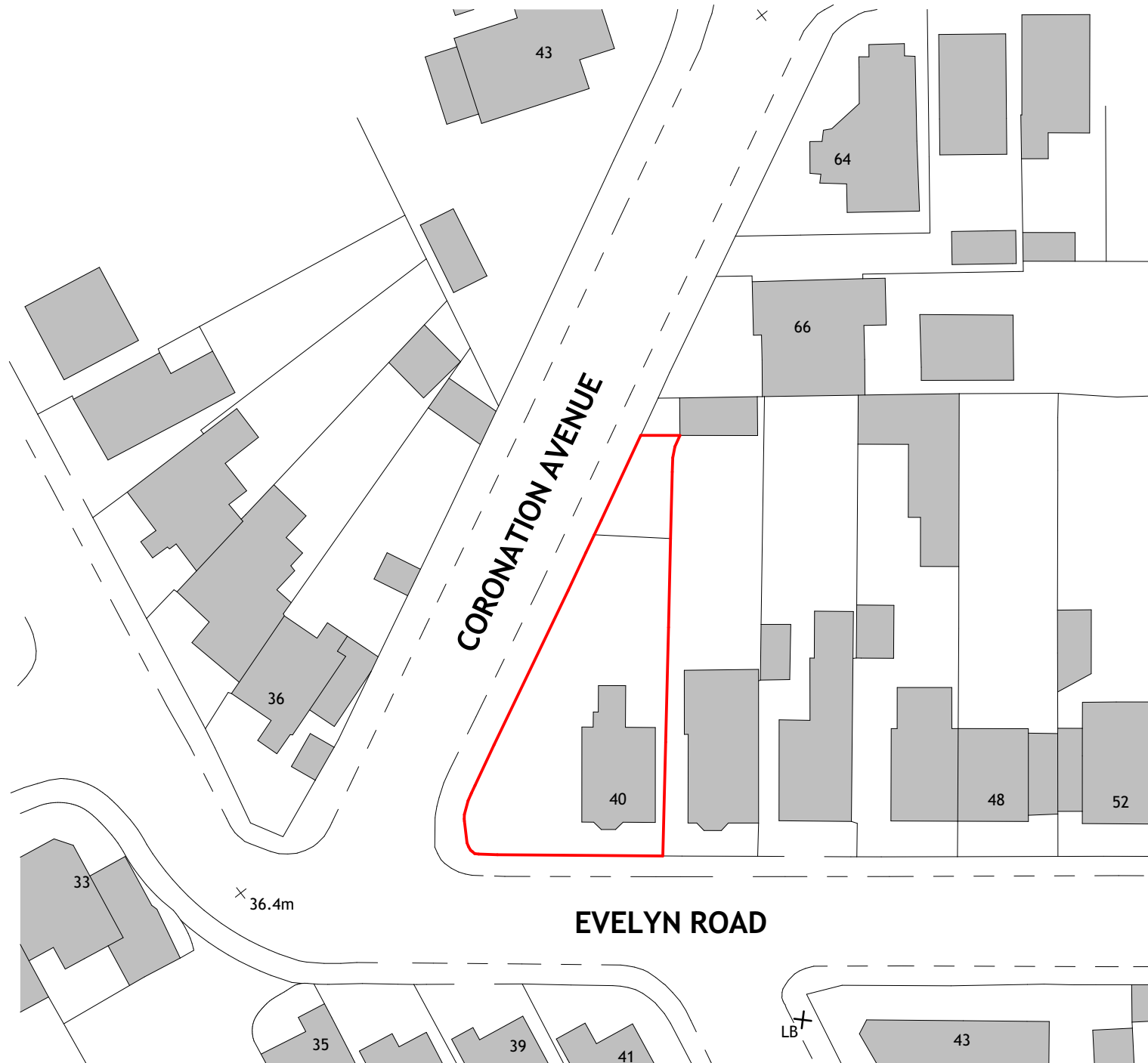


69



Location

1:1250



Site

1:500

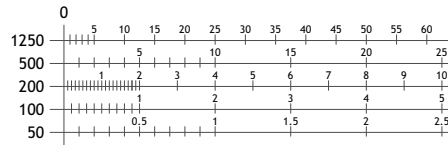
B	17/12/2020	JRC	Updated
A	11/08/2020	jrc	Description
Rev	Date	By	

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Ordnance Survey Plan  
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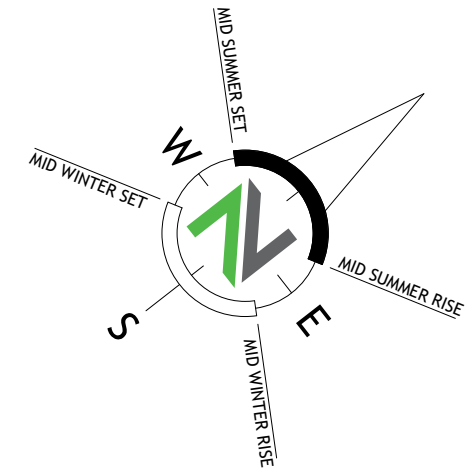


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Location Plan • Title  
Addis Homes • Client



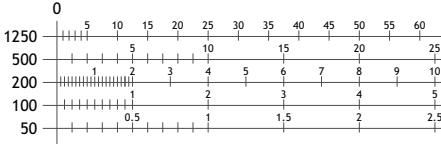
70



EVELYN ROAD

Site Plan Proposed

1:200



P02	03/08/2021	jrc	Scheme updated
P01	21/07/2021	jrc	Scheme updated
Rev	Date	By	Description

Drawing No • **3427 - TA - V5 - 00 - DR - A - 0003 - P02**

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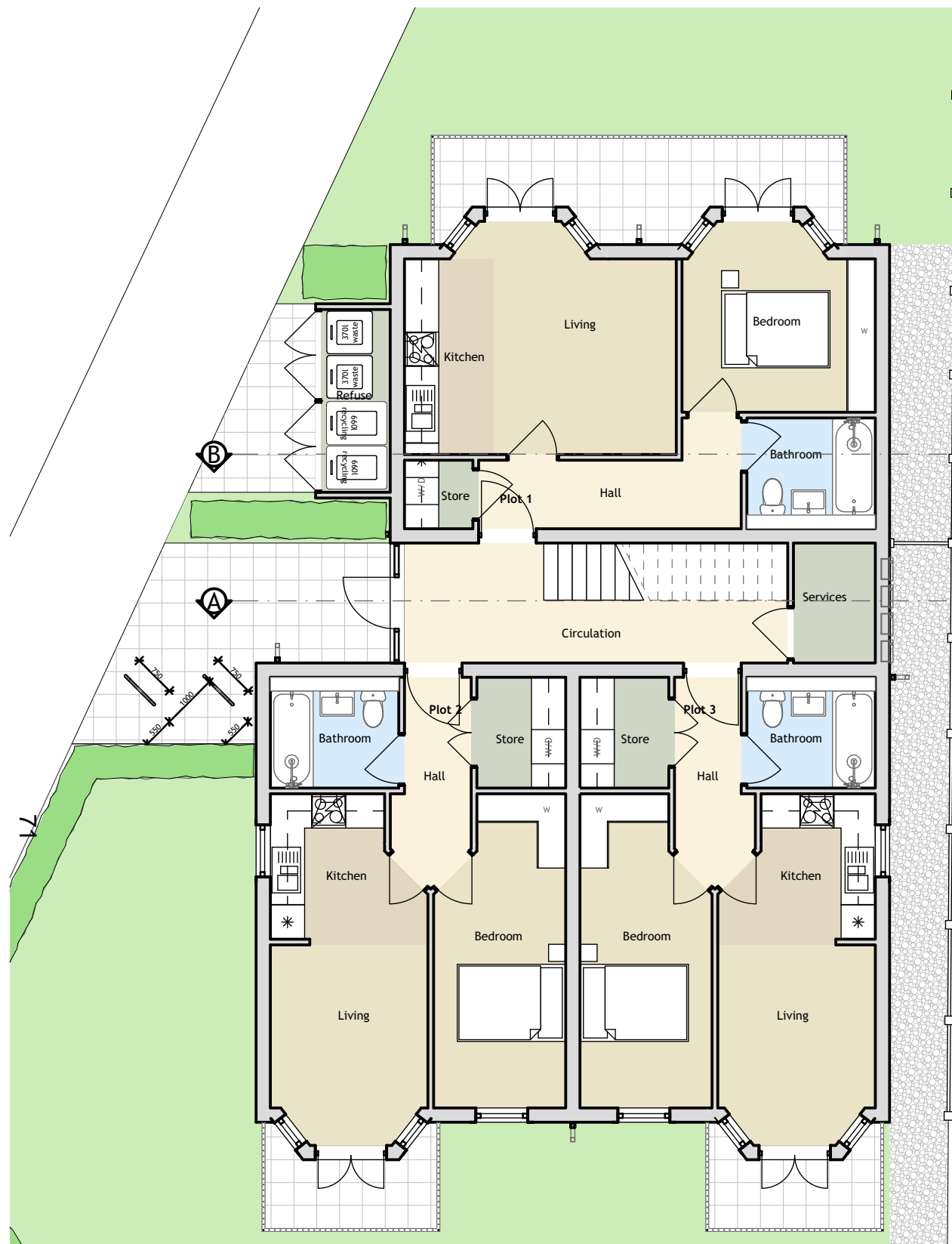
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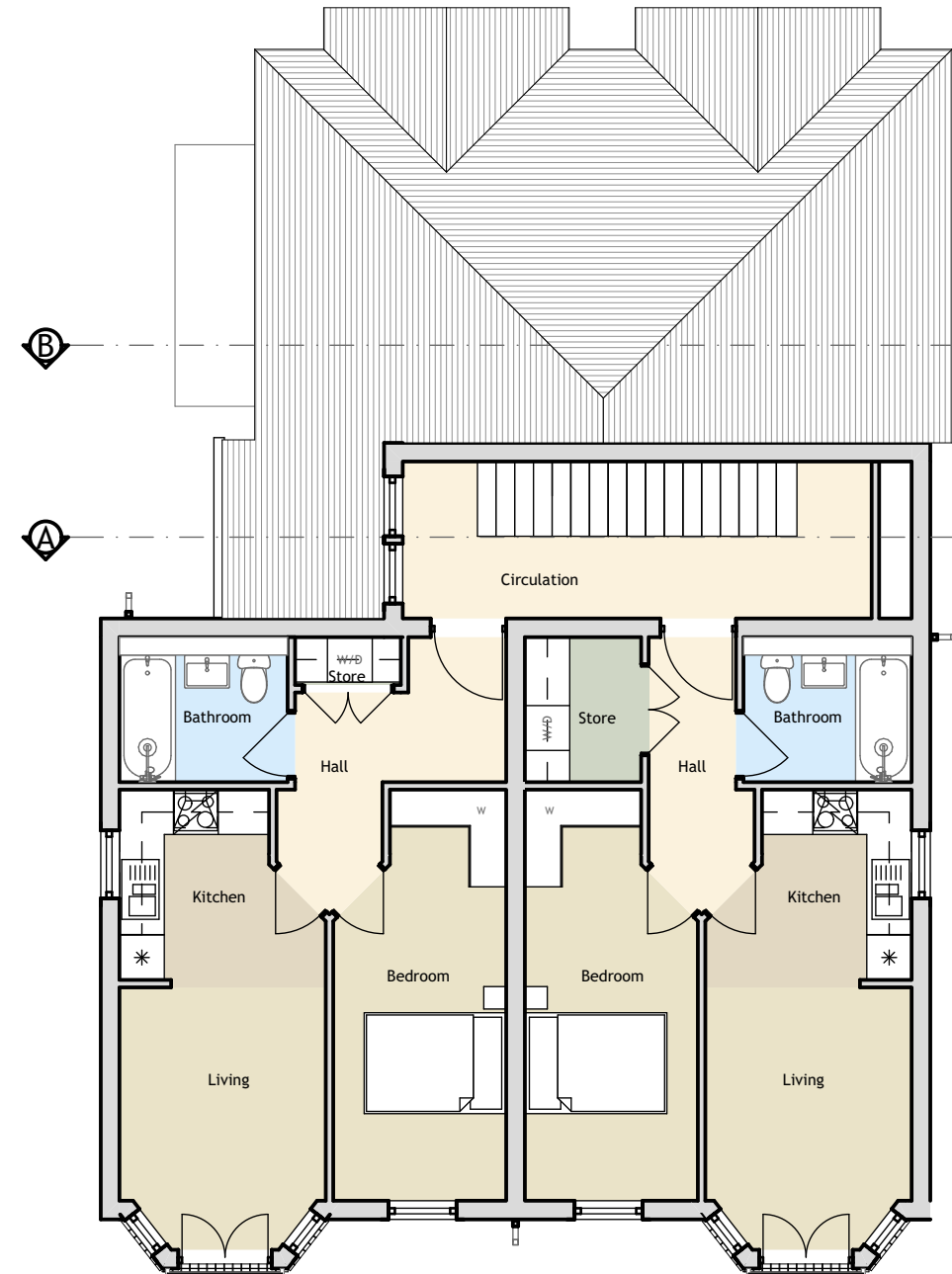
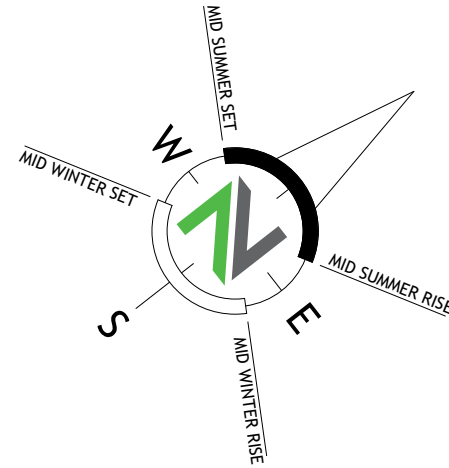
**Site Plan Proposed • Title**

**Addis Homes • Client**



GF-Ground Floor

1:100



01-First Floor

1:100

P03	04/08/2021	jrc	Scheme updated
P02	03/08/2021	jrc	Scheme updated
P01	21/07/2021	jrc	Scheme updated
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Drawn • jrc

Scale • **1:100 @ A3**



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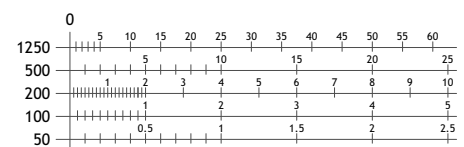
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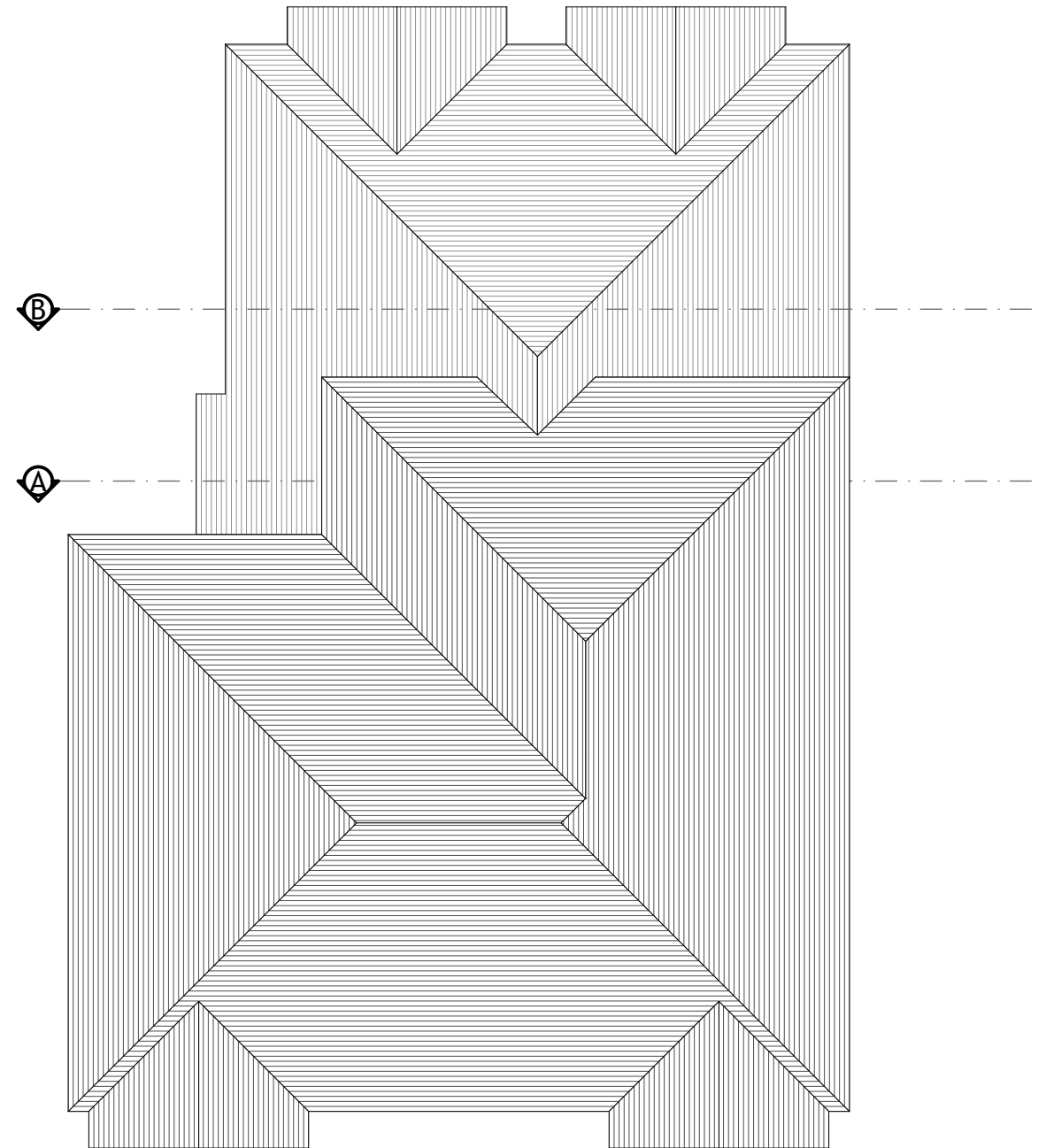
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**Ground & First Floor Plans • Title**

**Addis Homes • Client**

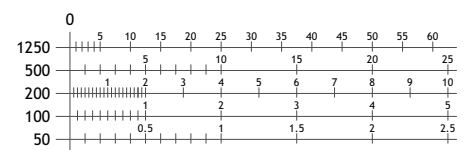




## RF-Roofscape

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P02	03/08/2021	jrc	Scheme updated
P01	21/07/2021	jrc	Scheme updated
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**40 Evelyn Road, Moordown** • Project  
**Roofscape** • Title  
**Addis Homes** • Client

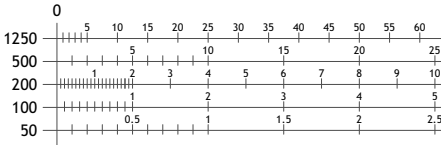




South East Elevation

1:100

P02	03/08/2021	jrc	Scheme updated
P01	21/07/2021	jrc	Scheme updated
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South West Elevation

1:100



P03	04/08/2021	jrc	Scheme updated
P02	03/08/2021	jrc	Scheme updated
P01	21/07/2021	jrc	Scheme updated
Rev	Date	By	Description



North East Elevation

1:100



P02	03/08/2021	jrc	Scheme updated
P01	21/07/2021	jrc	Scheme updated
Rev	Date	By	Description

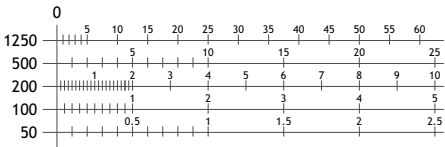




North West Elevation

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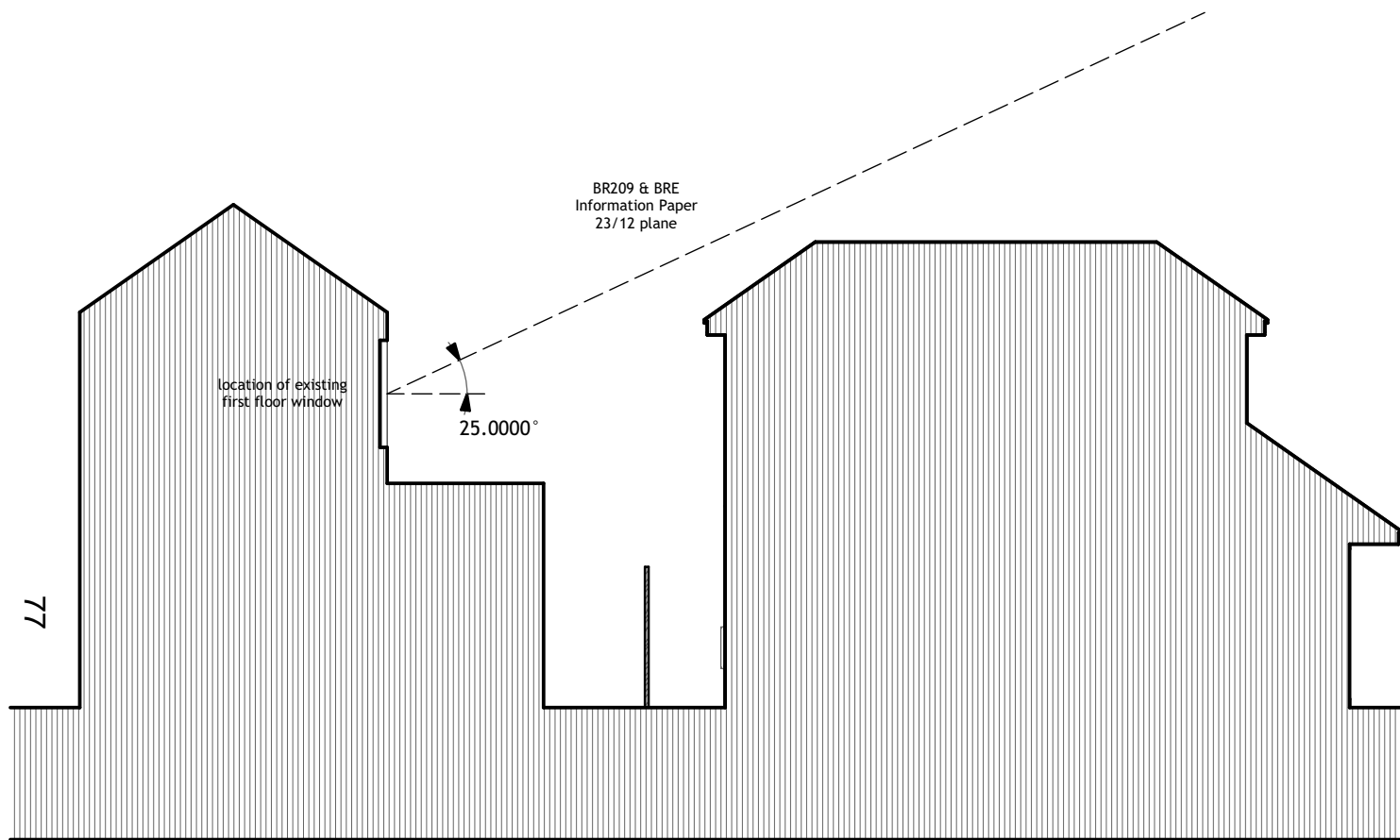
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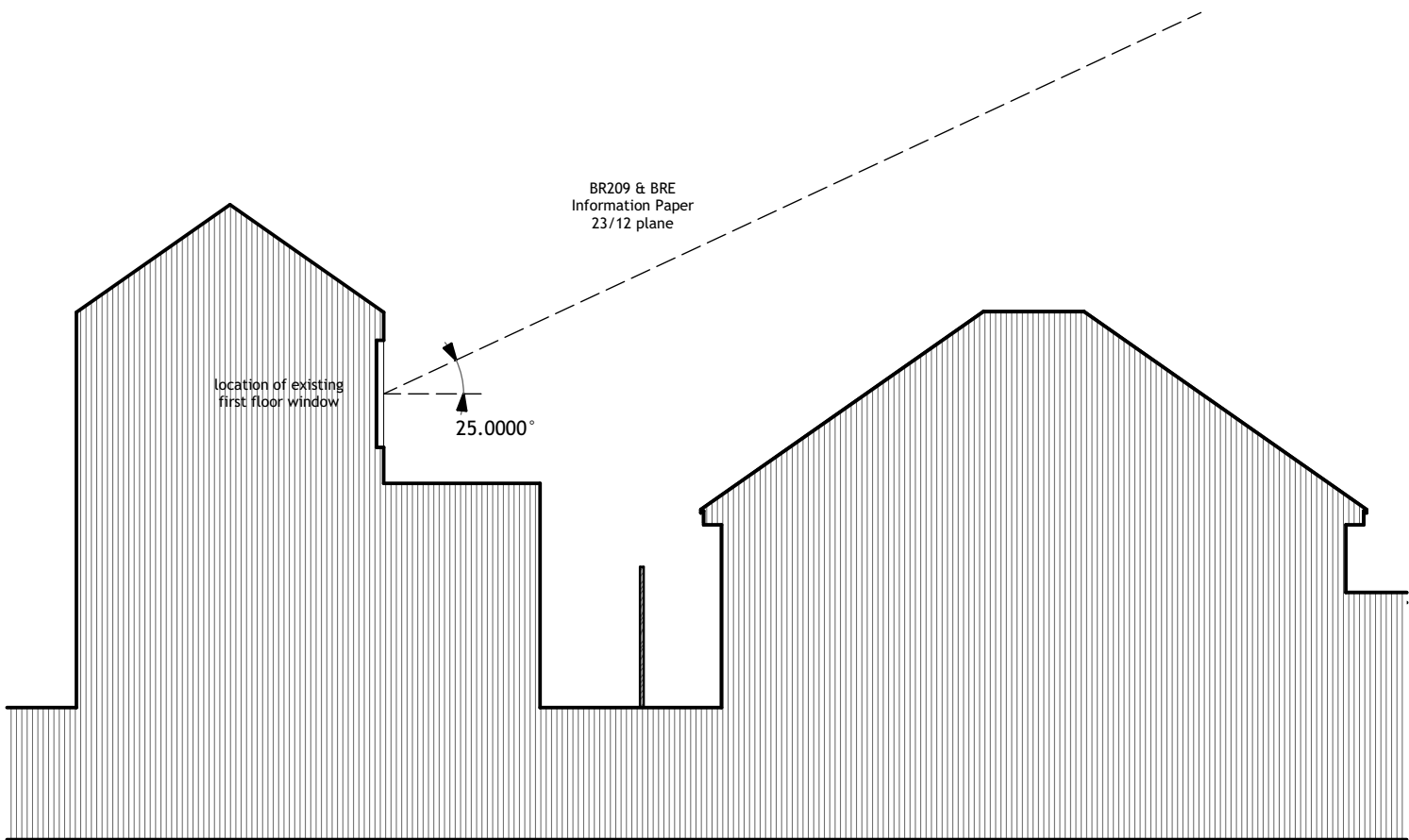
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North West Elevation	•	Title
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Building Section A

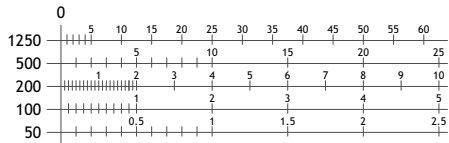
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Building Section B

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Drawing No • **3427 - TA - V5 - ZZ - DR - A - 0225 - P03**

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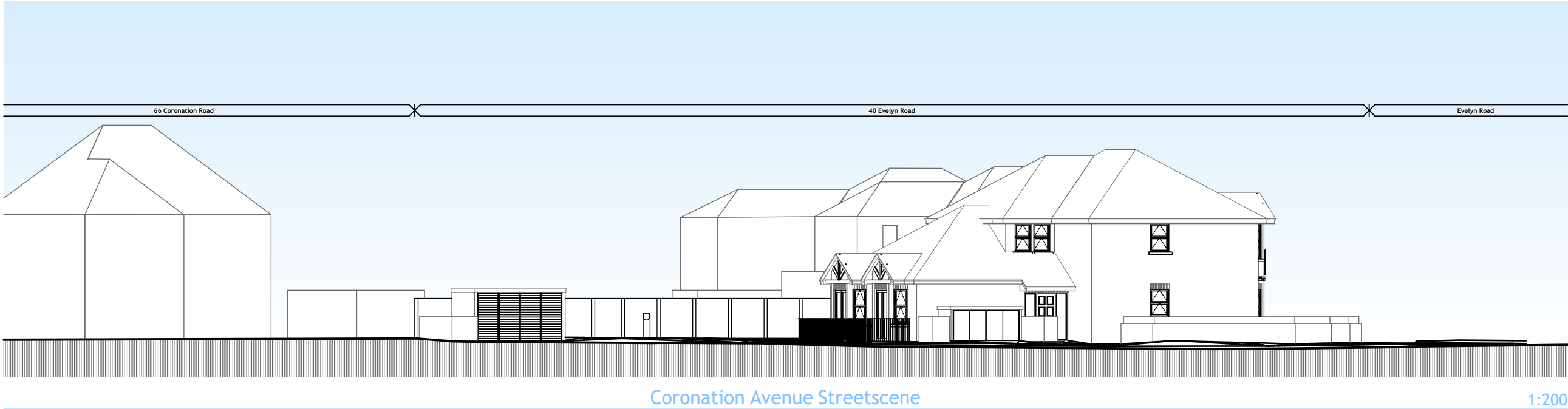
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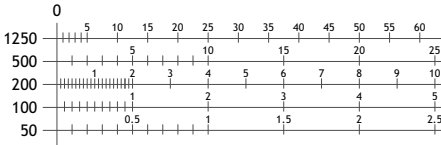
**40 Evelyn Road, Moordown • Project**

**Building Sections • Title**

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P03	04/08/2021	jrc	Scheme updated
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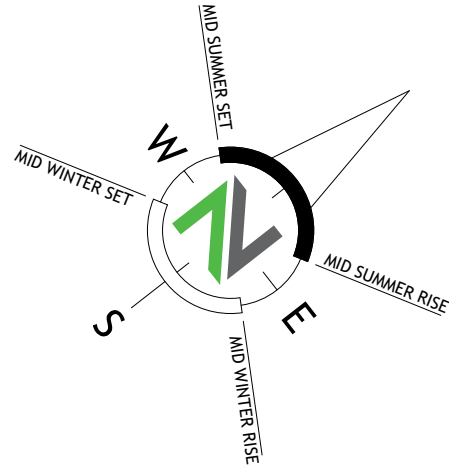
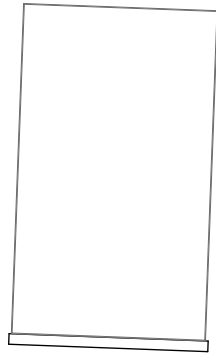
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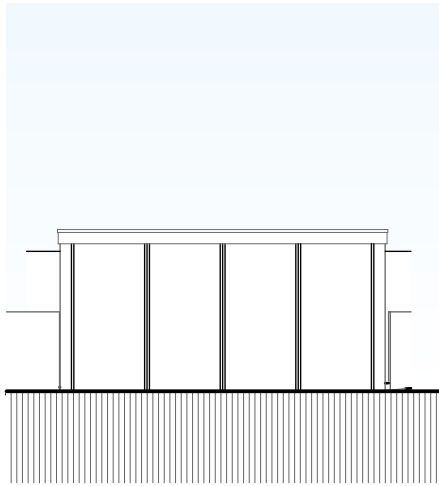
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**Streetscene • Title**

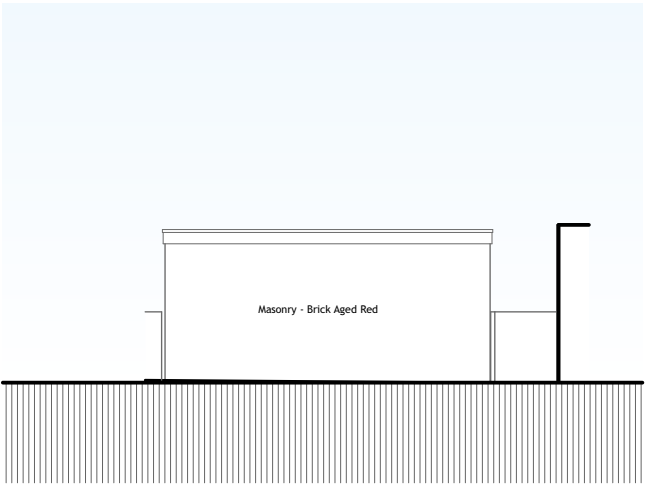
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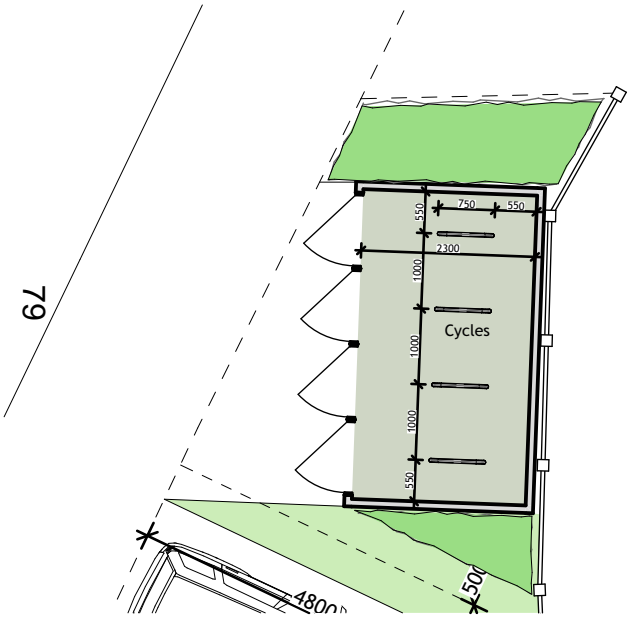
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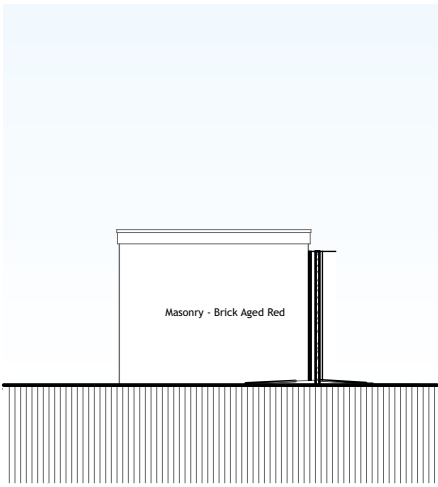
Cycle South West Elevation 1:100



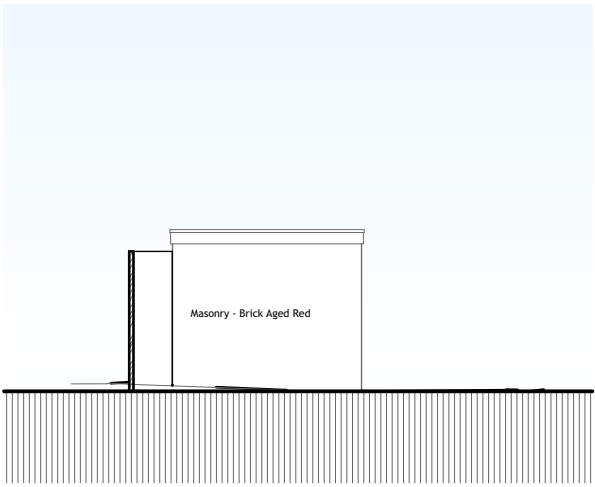
Cycle North East Elevation 1:100



GF-Ground Floor 1:100



Cycle South East Elevation 1:100



Cycle North East Elevation 1:100

A	17/12/2020	JRC	Description
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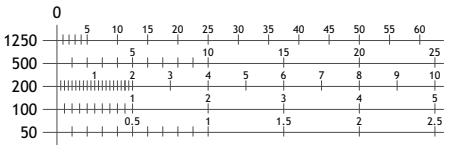
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Scale	•	1:100 @ A3						



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Site Plan Cycle Store • Title  
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Development Image 1



Development Image 2

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P02	03/08/2021	jrc	Scheme updated
P01	21/07/2021	jrc	Scheme updated
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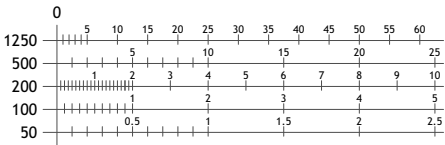
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40 Evelyn Road, Moordown • Project

Development Visuals • Title

Addis Homes • Client





**PLANNING COMMITTEE**

Application Address	Land R/O 91 The Grove Christchurch BH23 2EZ
Proposal	Proposed 2 bedroom bungalow to the rear of existing property, with private garden, parking, turning and associated garage.
Application Number	8/20/1167/FUL
Applicant	H B Holdings Ltd
Agent	Mr Matt Stevens
Date Application Valid	7 January 2021
Decision Due Date	4 March 2021
Extension of Time Date (if applicable)	26 April 2021
Ward	Commons
Report status	Public
Meeting date	18 November 2021
Recommendation	<b>Grant, subject to conditions</b>
Reason for Referral to Planning Committee	<p>This application has been referred to the Planning Committee by Cllr Margaret Phipps for the following reasons;</p> <p>Contrary to Core Strategy Policies HE2 Landscaping and HE3 Landscape Character. The development will put pressure on and could endanger in the long term TPO trees in the near vicinity.</p> <p>The proposal fails to comply with Policy HE2 of the Core Strategy. The development is not compatible with, or improves its surroundings because of its scale, bulk and height.</p> <p>The application is contrary to saved policy H12 of the Christchurch Local Plan being inappropriate in character and scale to the immediate locality. Overdevelopment of</p>

	the site.
Case Officer	Emma Wachiuri

## Description of Site and Surroundings

1. The application site comprises the rear garden of no.91 The Grove and is located within an area which is primarily residential in use, wherein the age, scale and design of properties varies. There is a mix of two-storey, chalet bungalow and bungalow dwellings in the area. There is also variety in the plot sizes.
2. The application site is enclosed by established dwellings and their amenity spaces. Development was originally laid out fronting The Grove, however there are numerous examples of later 'backland' development in the surrounding area. The backland development at The Glade directly adjoins to the north. The area has an established suburban character.
3. The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site.
4. Trees within the rear garden are protected by a group tree preservation order (TPO) ref:1988 No.13.

## Proposal

5. Proposed 2-bedroom bungalow to the rear of existing property, with private garden, parking, turning and associated garage.
6. This involves the subdivision of the existing back garden of no. 91 The Grove. The detached rear garage and other outbuildings would be demolished. The proposed dwelling would be accessed via the existing vehicle access and driveway of No.91.
7. A total of 2 parking spaces are proposed for the new dwelling and 2+ spaces for the donor property would be retained on the existing front driveway. Cycle storage would be within the garage.
8. The proposed external materials are render for the walls and grey roof tiles.

## 9. Relevant Planning History:

8/20/0631/FUL	Land R/O 91 The Grove	Erection of new dwelling to the rear of existing property, with garden, parking, turning and	Withdrawn	10/12/20
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	Christchurch BH23 2EZ	associated garage.		
8/02/0749	Land at the rear of 93-97 The Grove	Erection of two detached chalet bungalows with access from The Grove and associated car parking (demolition of existing workshop) (Amended Plans)	Granted	01/05/03
8/02/0595	Land at the rear of 93-97 The Grove	Erection of 2 detached chalet bungalows with access from The Grove & associated car parking (demolition of existing workshop)	Withdrawn	27/11/02
8/01/0594	Land r/o 93-97 The Grove	Erection of two detached chalet bungalows with access from The Grove and associated parking. (Demolition of existing workshop)	Refused	22/01/02
8/00/0447 (appeal)	Land at the rear of 93/97 The Grove	Erection of 6 chalet bungalows together with access and parking provisions	Dismissed	14/06/01
8/01/0025 (appeal)	Land rear of 93- 97 The Grove	Erection of 3 chalet bungalows & 1 bungalow together with access & parking provisions	Dismissed	14/06/01
8/01/0025	Land rear of 93- 97 The Grove	Erection of 3 chalet bungalows & 1 bungalow together with access & parking provisions	Refused	01/03/01

#### 10. Constraints:

The constraints affecting the proposal are:

SSSI Impact Risk Zone - 0.00m

Highways Inspected Network - 8.15m



Heathland 5km Consultation Area - 0.00m  
Airport Safeguarding - 0.00m  
Wessex Water Sewer Flooding - 0.00m  
Tree Preservation Order - 0.00m

### **Public Sector Equalities Duty:**

11. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **Other relevant duties:**

12. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
13. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.

### **Statutory Consultee Comments:**

#### **Natural England**

14. No objection subject to mitigation being secured and also made the following comments:

#### **“Dorset Heaths**

The application site is within the vicinity (within 5 km and beyond 400m) of Town Common SSSI which is notified as a Site of Special Scientific Interest (SSSIs) for the special interest of its heathland habitats and associated plant and animal species. Town Common SSSI is also part of the Dorset Heathlands Special Protection Area (SPA) and Dorset Heaths Special Area of Conservation (SAC) and Ramsar

If your authority is unable to secure mitigation measures please re-consult Natural England as our advice is likely to be amended to an Objection.

#### **Matters Regarding the Habitat Regulations**

In the light of the recent ECJ ruling (People Over Wind & Sweetman v Coillte Teoranta (Case C-323/17)) which concluded that the avoidance/mitigation,

e.g. as set out in the Dorset Heathlands Planning Framework (2020– 2025) SPD, cannot be taken into consideration when considering the Likely Significant Effects of proposals on European wildlife sites (and Ramsar sites as a matter of Government policy). Natural England advise your authority to undertake an Appropriate Assessment of the application under Reg 63.

Natural England has no objection to the proposal on the condition that your authority secure the appropriate level of mitigation contributions, as set out in the above SPD, to ensure that the identified adverse effects on the protected sites are mitigated according to the measures agreed with Natural England in the documents.

### **Biodiversity Enhancement**

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes and implementing hedgehog friendly boundary treatments. Securing the implementation of such biodiversity enhancement measures would be in line with National Planning Policy Framework (NPPF 2019), paragraphs 8, 170 and 175.”

### **Christchurch Town Council**

15. None received

### **BCP Highways - Minor Dev**

17. No objection – “From the information provided it would appear that the existing donor dwelling front forecourt arrangement would be able accommodate the required parking for the donor property in accordance with policy KS12.”
18. “The applicant has shown the new dwelling, located at the rear of the donor sites garden, with 2 on-site car parking spaces (includes single large garage/cycle store) accessed via the existing vehicle access and driveway of the donor property, the parking provision and layout so vehicles can enter and leave in forward gear is in accordance with Policy KS12.”
19. “Emergency vehicles should be able get within 45m of the dwellings, and access road width should be in accordance with the requirements.”
20. “For Emergency access to reach a fire, the access route width could be reduced to 2.75 m over short distances, provided the pump appliance can get to within 45m of dwelling entrances (Manual for Streets Guidance); the width of the access road measured from the submitted plan reads to be approximately 3.1m at its narrowest (jacuzzi hut as indicated on the submitted plan). As stated above emergency vehicles must be able to get within 45m of the dwelling, whilst the width of the access road/driveway meets the guidance, nevertheless The Glade road is nearby from which the emergency vehicles would be able to get to approx 20m from the dwelling.”

### **BCP Trees & Landscaping**

### **Comments dated 25/05/21**

21. The Tree and Landscape Officer has seen the submitted Tree Report ref: JH/AIA/20/039/Rev4, dated 19/05/21 and Tree Protection Plans ref: JH-TTP-29-7-20.1 Rev5, dated May 2021. The Officer has also seen the Construction Method Statement, dated 18/05/21. No objections raised subject to conditions. conditions.”

### **BCP Waste and Recycling**

22. “No objection subject to amended plans showing a bin presentation point. The presentation point should be at the kerbside of the property where it meets the footpath to The Grove, this area only to be used on collection the bins being returned to the property after collection.”

### **Representation:**

23. 15 objections received in which the following summarised concerns were raised:
- Garden grabbing
  - Loss trees and wildlife habitat
  - Presence of newts and other reptiles
  - Overdevelopment of the site
  - Increased housing density
  - Size of plots and property is out of keeping with the character of the area
  - Increase in traffic/congestion
  - Access road is too narrow with limited sightlines
  - Danger to pedestrians at access point
  - Inadequate parking putting pressure on street parking in the area
  - Pollution
  - Emergency vehicles can't get there easily
  - Set a precedent
  - TPO trees in neighbouring gardens - future pressure will be put on them to be felled and/or severely pruned, pre and post development
  - Overbearing on no.93
  - Noise and disturbance on adjoining property from the access road

- Noise from gravel access road
- Loss of outlook
- Resultant properties would have inadequate outdoor garden space
- Proposed garden would be overshadowed and over shade from the adjacent trees
- Loss of family dwellings in the area
- Bin collection and return to property on time will be an issue

#### Non-planning matters

- Value and saleability of adjoining properties
- Structural damage to neighbouring properties during the build
- Removal of neighbours wall and it's reinstatement

#### **Planning Policy:**

24. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Christchurch and East Dorset Local Plan and saved policies of the Christchurch Local Plan 2001.

25. The following policies are of particular relevance in this case:

#### **Christchurch and East Dorset Local Plan Part 1 – Core Strategy 2014**

KS1: Presumption in favour of sustainable development  
 KS2: Settlement Hierarchy  
 KS4: Housing Provision in Christchurch and East Dorset  
 KS11: Transport and Development  
 KS12: Parking Provision  
 HE2: Design of new development  
 HE3: Landscape Quality  
 LN1: The Size and Type of New Dwellings  
 LN2: Design, Layout and Density of New Housing Development  
 ME1: Safeguarding biodiversity and geodiversity  
 ME2: Protection of the Dorset Heathlands

#### **Christchurch Local Plan – Saved policies**

H12: Residential Infill  
 H16: Crime Prevention and Design  
 ENV 1: Waste Facilities in New Development  
 ENV 5: Drainage and New Development

ENV 6: Connection of Development to Mains System  
ENV 21: Landscaping in New Development  
T16: Access for those with impaired mobility

## 26. Supplementary Planning Documents:

- Dorset Heathlands Planning Framework 2020-2025
- BCP Council Parking Standards Supplementary Planning Document (January 2021)

## 27. Supplementary Planning Guidance:

- The Christchurch Borough-wide Character Assessment (2003)

## National Planning Policy Framework (2021)

28. The guidance contained in the National Planning Policy Framework (NPPF) is a material consideration. Paragraph 11 sets out the presumption in favour of sustainable development.

29. The relevant NPPF sections include:

Section 2 - Achieving sustainable development  
Section 4 - Decision-making  
Section 5 - Delivering a sufficient supply of homes  
Section 9 - Promoting sustainable transport  
Section 11 - Making effective use of land  
Section 12 - Achieving well-designed places

30. Section 2 - Achieving sustainable development

Paragraph 11 sets out the presumption in favour of sustainable development. 'For **decision-taking** this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

*Footnote 8 - This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of*

*housing was substantially below (less than 75% of) the housing requirement over the previous three years.*

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

### 31. Section 4 - Decision-making

Para 47 states that Planning Law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

### 32. Section 5 Delivering a sufficient supply of homes

*Para.60 "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."*

Para 69

*"Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

*c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes;*

### 33. Section 11 seeks to ensure that effective use is made of land

Para 119 seeks to ensure that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Para 120 requires decisions:

- to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and
- to promote and support the development of under-utilised land and buildings,

Para 124 requires decisions to take into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it, the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places.

When considering applications for housing Para 125 refers to scenarios where there is an existing or anticipated shortage of land for meeting identified housing needs.

This para advises local planning authorities to make optimal use of the potential of each site and they should refuse applications which they consider fail to make efficient use of land.

#### 34. Section 12 seeks to achieve well-designed places

Para 130 requires that developments:

- will function well, and add to the overall quality of the area.
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- are sympathetic to local character and history
- establish or maintain a strong sense of place
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development
- create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users

Para 134 states that Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

Para 174 advises that decisions should contribute to and enhance the natural and local environment.

### **ASSESSMENT**

#### 35. The key main issues for considerations are:

- Principle of development
- Type of housing and size
- Internal Space standards and occupier amenity
- Impact on design and character of the streetscene
- Impact on residential amenities
- Highways, Parking and Servicing
- Impact on trees and landscaping
- Biodiversity and Heathland Mitigation

#### **Principle of development**

36. Paragraph 11 of the National Planning Policy Framework sets out the presumption in favour of sustainable development.
37. The site lies within the urban area of Christchurch which is the major focus for development in the spatial strategy set out in Policy KS2 in order to promote a sustainable pattern of development. A number of infill units have been constructed in sites along The Grove, for example the backland development along The Glade located to the north of the site.
38. The NPPF at para. 71 advises that Local Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. However, the preceding Christchurch Borough Council through the Core Strategy process concluded that no such policy was necessary and indeed the Council would not be able to meet the housing target within the Local Plan without infill development within the urban area.
39. There are therefore no policies to prevent “garden grabbing” in the Local Plan as evidenced by the number of existing backland developments in the area. Therefore the residential redevelopment of the site is considered acceptable in principle.
40. The Council does not have a 5 year housing land supply as it currently stands at 3.98 years (April 2019). Having regard to Paragraph 11 of the NPPF and given the above, the tilted balance is potentially engaged (Para 11 d). The site will provide one additional unit towards the supply of housing but also lies within 5 km of a European Habitat site. The sections below will assess the proposal including in the context of footnote 7 of the Framework and impacts on relevant habitats sites.

### **Type of housing and size**

42. Policy LN1 refers to the Strategic Housing Market Assessment (2015) and the Housing Quality Indicators and in particular the size of proposed housing. The SHMA identifies that 2- and 3-bedroom properties are what is mostly required in the Christchurch area. The proposal is for a 2-bedroom house which would meet this area of greatest need identified in the SHMA and thus complies with this aspect of Policy LN1.

### **Internal Space standards and future occupier amenity**

43. Policy LN1 states that all new housing should be built to meet minimum living space standards for both internal and external areas. The policy also refers to the Housing Quality Indicators and requires new housing to be built to minimum living standards and to the Homes and Communities Agency Housing Quality Indicators in relation to private open space, unit sizes, unit layout and accessibility within the unit. Whilst these have been overtaken by the Nationally Described Space Standards, they are still referred to in the adopted Local Plan and therefore are a material consideration.
44. The Nationally Described Space Standards (NDSS) set out that 70sqm is the



minimum for a 2-bedroom (4-persons) single storey property. The HQI for unit size suggests that for a 4-bedspace internal floor area of 67 to 75 m<sup>2</sup> is required. The proposed would have approx. 85m<sup>2</sup> internal floor space. The proposal would thus comply with Policy LN1 and NDSS.

45. The internal arrangement and layout of the residential unit proposed would not raise concerns in terms of floorspace and layout, as they are of adequate size.
46. In terms of outlook, all habitable rooms would have adequate outlook and receive sufficient natural daylight to the property. Although bedroom 2's window would only be approx. 1.5m distant from the side boundary fence, given the size of the window and the fact that the space beyond has open-views the outlook and natural daylight into this room is considered acceptable. This proposal would thus comply with para.130 of the NPPF and Local Plan policy HE2 and saved policy H12.
47. The guidance in the National Design Code advises that good quality housing creates a pleasant indoor environment with adequate levels of natural lighting, and sunlight, without problems of overheating, good quality ventilation and privacy from overlooking. Internal layouts should maximise access to natural daylight and provide appropriate levels of glazing to ensure adequate internal lighting without problems of overheating. The scheme is considered to meet these aims.
48. The house would be provided with a private amenity space approx. 145sqm. The Homes and Communities Agency Housing Quality Indicators (HQI) looks at the provision of private open space. According to the national advice provided in the publication 'Building for Life 12', this document promotes ensuring that rear gardens are at least equal to the footprint of the dwelling. The submitted plans indicate that private rear garden would meet these standard and thus considered to accord with Policy LN1 in this aspect
49. In addition, the design of external spaces (such as parking areas and gardens) would facilitate the safe use of these areas by future residents.
50. As discussed above, the proposed development would have acceptable living conditions for future occupiers and is thus considered to accord with Local Plan Policy LN1, HE2 & H12 and the NPPF.

### **Impact on character and visual amenities**

51. The application site comprises the amenity space of no.91 The Grove and is located within an area which is primarily residential in use, wherein the age, scale and design of properties varies.
52. The application site is enclosed by established dwellings and their amenity spaces. The development in The Glade is the most recent 'backland' construction in the immediate area and adjoins the site. Thus the proposed development is not out of character in the area. The proposal would not be readily visible from The Grove and thus it is not considered harmful to the visual amenities of the streetscene.

53. The proposed external materials are render for the walls, grey roof tiles. The materials used on the surrounding properties include render, red brick, timber cladding and thus are varied. The proposed unit reflect the design characteristics of the established development in the wider area with its simple hipped roof single storey design and its footprint is of comparable dimension to a number of the surrounding properties. The proposed curtilage and plot size is also comparable to the infill development in the wider area and thus evidently not out of keeping with the character of the locality. The scheme does not have any detrimental impacts on the character and visual amenities of the area.
54. The scheme is considered to comply with the test in Policy HE2 to be compatible with or improve its surroundings in its layout; site coverage; architectural style; scale; bulk; height; materials and visual impact.

### **Impact on Neighbour amenity**

55. Policy HE2 'Design of New Development states; *'Development will be permitted if it is compatible with or improves its surroundings in: relationship to nearby properties including minimising general disturbance to amenity'*.
56. Saved policy H12 seeks to permit residential development provided that among other things *'the residential amenities of existing and future occupiers of dwellings are not adversely affected by noise or disturbance or by the loss of light or privacy'*.
57. Given the location, siting and the relationship with the surrounding properties, no.91 The Grove and no.2 The Glade are the most likely to be affected and/or affect the proposal.
58. The proposal relates to a bungalow and thus would not be resulting in overlooking or loss of privacy on adjoining properties as boundary treatments would screen any views from ground floor level.
59. With regards to overlooking from adjacent properties, the retained garden for the donor property no.91 would measure approx. 15m long. This property has rear-facing 1<sup>st</sup> floor windows facing down the garden. There would be approximately 22m from the rear of No.91 to a bedroom window in the front elevation of the proposed dwelling. The nearest part of the proposed dwelling to No.91 would be an integral garage. Thus the scheme is not considered to result in an unacceptable loss of privacy or overlooking nor dominance or overbearing effects on No.91 or the future occupiers of the proposed dwelling unit.
60. No.2 The Glade is a chalet bungalow. This property has a roof light in the facing side elevation which would be facing the front garden/privacy and the kitchen window but only at oblique angle. The proposed dwelling is set slightly further to the south-west than this neighbour. However, due to its low height and scale, it is not considered to impact on the outlook from the rear of 2 The Glade, nor result in an overbearing impact. The proposal would not result in detrimental effects on the amenities of adjoining occupiers nor of neighbouring occupiers

and thus complies with policy HE2 of the Core Strategy 2014 and saved policy H12 of the Local Plan 2001.

### **Highways, Parking and Servicing**

61. Under the Parking Standards SPD, the site is within Zone D and therefore one car parking space provision is required for the proposed development. In addition, a single cycle parking/storage space is also required.
62. The BCP Highways Authority was consulted, and they have raised no objection and are satisfied with the parking provision for both the proposed development and the donor property.
63. With regards to emergency access, they have concluded that whilst the width of the access road/driveway meets the guidance, The Glade road is nearby from which the emergency vehicles would be able to get to approx 20m from the dwelling and thus the Highways Officer considers that emergency vehicles should be able get within 45m of the dwellings in accordance with the requirements within the Manual for Streets Guidance.
64. A total of 2 on-site parking spaces (within the garage and front driveway) are proposed for the new dwelling. The existing donor dwelling front forecourt arrangement would be able accommodate the required parking for the donor property. The garage would also provide cycle storage area. The proposed spaces including the garage, accord with the dimensions of the LPA's SPD. The additional traffic movements from a single dwellinghouse are nominal and would be compatible with capacity on the surrounding highway network. The proposal therefore complies with Policies KS11 & KS12 of the Core Strategy 2014 and the BCP Parking Standards SPD.
65. The Waste and Recycling Officer considered the proposed development and advised that they have no objection subject to submission of amended plans showing a bin presentation point. These details can be acquired via a planning condition.

### **Impact on trees and landscaping**

66. The Council tree officer was consulted on the proposal and following a number of amendments and based on the Tree Report ref: JH/AIA/20/039/Rev4, dated 19/05/21, Tree Protection Plans ref: JH-TPP-29-7-20.1 Rev5, dated May 2021 and the Construction Method Statement, dated 18/05/21, they have recommended tree protection conditions were the proposal to be approved.
67. Therefore, subject to the safeguards and mitigation in the proposed conditions, the proposal would comply with policies HE2 and HE3 of the Core Strategy 2014 and saved policies H12 and ENV21 of Christchurch Borough Council Local Plan (2001).

### **Biodiversity and Heathland Mitigation**

68. The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site. The proposal for net increase in residential units is, in combination with other plans and projects and in the absence of avoidance and mitigation measures, likely to have a significant effect on the site. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.
69. As the proposal would result in a net increase in one new dwelling, such a proposal would be subject to a requirement to mitigate its impact on the Dorset Heathlands in accordance with the Dorset Heathlands Planning Framework 2020-2025. The mitigation measures set out in the Dorset Heathlands 2015-2020 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). In relation to this development the Council will fund HIP provision via the Community Infrastructure Levy but SAMM, which forms the second strand of the strategy, requires that contributions be secured via s106 from all development where there is a net increase in dwellings. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.
70. The current application is accompanied by a unilateral undertaking which would secure the necessary contribution towards Strategic Access Management and Monitoring in accordance with the Dorset Heathlands SPD. It is considered this contribution complies with regulation 122 of Community Infrastructure Regulations 2010 (as amended).
71. Without this contribution towards avoidance measures the Council cannot be certain that the development will not result in harm to European sites contrary to policy ME2, NPPF paragraph 182 and the Habitats Regulations.

### **Biodiversity Enhancement**

72. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest box, bat ridge tile and implementing hedgehog friendly boundary treatments. Securing the implementation of such biodiversity enhancement measures would be in line with National Planning Policy Framework (NPPF 2021), paragraphs 8, 174 and 180. These can be requested via a planning condition.

### **CONCLUSION AND RECOMMENDATION**

73. **Tilted Balance** – There is a presumption in favour of development as set out in paragraph 11 of the NPPF. Para 11(d) is relevant given the lack of a five year housing land supply. This confirms that permission should be granted unless applying the guidance in the Framework provides a clear reason for refusing the development proposed. In this regard, there are no clear reasons for refusal in relation to areas specified in Footnote 7 (Paragraph 11(d)(i)) as the application secures adequate mitigation for its impacts on protected heathlands.

Therefore, the tilted balance is considered to be engaged and in consideration of NPPF Paragraph 11(d) ii), planning permission should be granted unless any adverse effects of granting permission 'significantly and demonstrably' outweigh the benefits. The scheme delivers new housing in a sustainable location and will contribute towards maintaining a 5-year supply of housing land complying with Policy KS4. The proposed development would make a modest contribution of 1 dwelling, which would have benefits in terms of boosting the supply of housing, contributing to a choice of homes, making use of a sustainable urban site in a location that has good access to a range of services and facilities.

74. There would be minor economic benefits associated with the construction phase and with regard to the future occupation of the properties. There would be social benefits from the increased choice of homes and population within the urban area.
75. Therefore, having considered the appropriate development plan policy and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring and proposed occupiers and would be acceptable in terms of traffic safety and convenience. The impact on the protected heathland habitats is also mitigated through the S106 contribution. No environmental harm has been identified in the assessment of the planning merits above. The Development Plan Policies considered in reaching this decision are set out above.
76. Therefore, it is considered that this proposal provides for a sustainable form of development and an efficient use of land and complies with the development plan as a whole and therefore can be recommended for approval subject to conditions.

#### **Recommendation:**

77. Grant, subject to the following conditions:

#### **Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

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

ASP.20.033.001- Block & Location Plan

ASP.20.033.002 - Proposed Site Plan

ASP.20.033.100 - Proposed Plans

ASP.20.033.200 - Proposed elevations

Documents:

- Tree Report ref: JH/AIA/20/039/Rev4, dated 19/05/21
- Tree Protection Plans ref: JH-TPP-29-7-20.1 Rev5, dated May 2021

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

3. The materials to be used in the external surfaces of the proposed development shall be as specified in the approved application unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of design and amenity.

4. Other than for the erection of tree protection, before any equipment, materials or machinery are brought onto the site, a pre-commencement site meeting between the Tree and Landscape Case Officer and Site Manager shall take place to confirm the methods of protecting trees on and adjacent to the site during development in accordance with the Tree Report ref: JH/AIA/20/039/Rev4, dated 19/05/21 and Tree Protection Plans ref: JH-TPP-29-7-20.1 Rev5, dated May 2021, demolition before any equipment, materials or machinery are brought onto the site for the purposes of the development. The Tree Protection Plan shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority.

Reason: This meeting is required prior to commencement of development in the interests of tree protection and to accord with Policies HE2 and HE3 of the Core Strategy.

5. The erection the tree protective fencing, the removal of the garage foundations and installation of services/drainage/soakaway hereby approved shall be carried out in accordance with the submitted Tree Report ref: JH/AIA/20/039/Rev4, dated 19/05/21 and Tree Protection Plans ref: JH-TPP-29-7-20.1 Rev5, dated May 2021 and the Construction Method Statement, dated 18/05/21, unless otherwise agreed in writing with the Local Planning Authority. This condition shall not be discharged until an arboricultural supervision statement, the contents of which are to be confirmed at a pre-commencement meeting, is submitted to and approved in writing by the Local Planning Authority on completion of development.

Reason: To ensure the protected trees on site are given adequate protection before and during the works on site in accordance with Policies HE2 and HE3 of the Local Plan.

6. No development above DCP (damp proof course) shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include hard surfacing materials; means of enclosure; details of boundary planting, schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate).

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any

part of the development and the planting carried out in the first planting season following completion of the development or its first occupation, whichever is the sooner. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species and thereafter retained.

Reason: This information is required prior to above ground work commencing as the long term establishment, maintenance and landscaping of the site is necessary to preserve the amenity of the locality. This decision has also had regard to Policies HE2 and HE3 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

7. Prior to the commencement of any above ground development, a plan indicating the positions of swift boxes shall be submitted to and approved in writing by the Local Planning Authority. No less than one Swift nesting box shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes shall be installed with the development prior to the first occupation of the buildings to which they form part or the first use of the space in which they are contained. The nesting boxes/bricks shall be installed strictly in accordance with the details so approved and shall be retained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity to deliver biodiversity gain and to satisfy policy ME1 of Christchurch and East Dorset Local Plan Part 1-Core Strategy 2014 and the NPPF.

8. Notwithstanding details shown on the submitted plans, no development above DCP (damp proof course) shall take place until details of the provision of Electric Vehicle Charging Points and associated infrastructure have been submitted to the Local Planning Authority for approval in writing. Those details shall be in accordance with the BCP Council Parking SPD (adopted 6th January 2021). The approved details shall be implemented and brought into operation prior to the occupation of any residential unit hereby approved or any use hereby approved commencing. Thereafter the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reasons: In the interests of promoting sustainable development including sustainable forms of transport.

9. No development above DCP (damp proof course) shall take place until a plan showing the refuse and recycling bin presentation point shall be submitted to, and approved in writing by, the Local Planning Authority. Such provision as is agreed shall be implemented prior to occupation of the dwelling and thereafter retained.

Reason: To ensure there is adequate provision for waste management facilities on the site.

10. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been

submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the agreed details and these shall be implemented in full prior to the first occupation of the approved dwelling and thereafter retained.

Reason: This information is required prior to occupation of the development hereby approved in order that the Council may be satisfied with the details of the proposal and to avoid surface water flooding to accord with Policies ME3 and ME6, of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

12. The car parking facilities shown on the approved plan drawing no. ASP.20.033.002 - Proposed Site Plan shall be laid out and provided prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose.

Reason: This information is required prior to occupation of the development hereby approved, in order ensure adequate provision is made for off street parking and to accord with Policy KS12 of the Local Plan and Government Guidance contained in the National Planning Policy Framework

### **Informatives:**

1. The applicant/s has/have provided a unilateral undertaking dated 25 May 2021 to pay the appropriate contribution in relation to Heathland mitigation as required by the Dorset Heathlands Planning Framework 2020-2025 - Supplementary Planning Document (SPD)

This grant of permission is to be read in conjunction with the Unilateral Undertaking dated 25 May 2021.

2. The applicant is advised that to avoid contravention of highways legislation, provision shall be made in the design of the access/drive to ensure that no



surface water or loose material drains/spills directly from the site onto the highway.

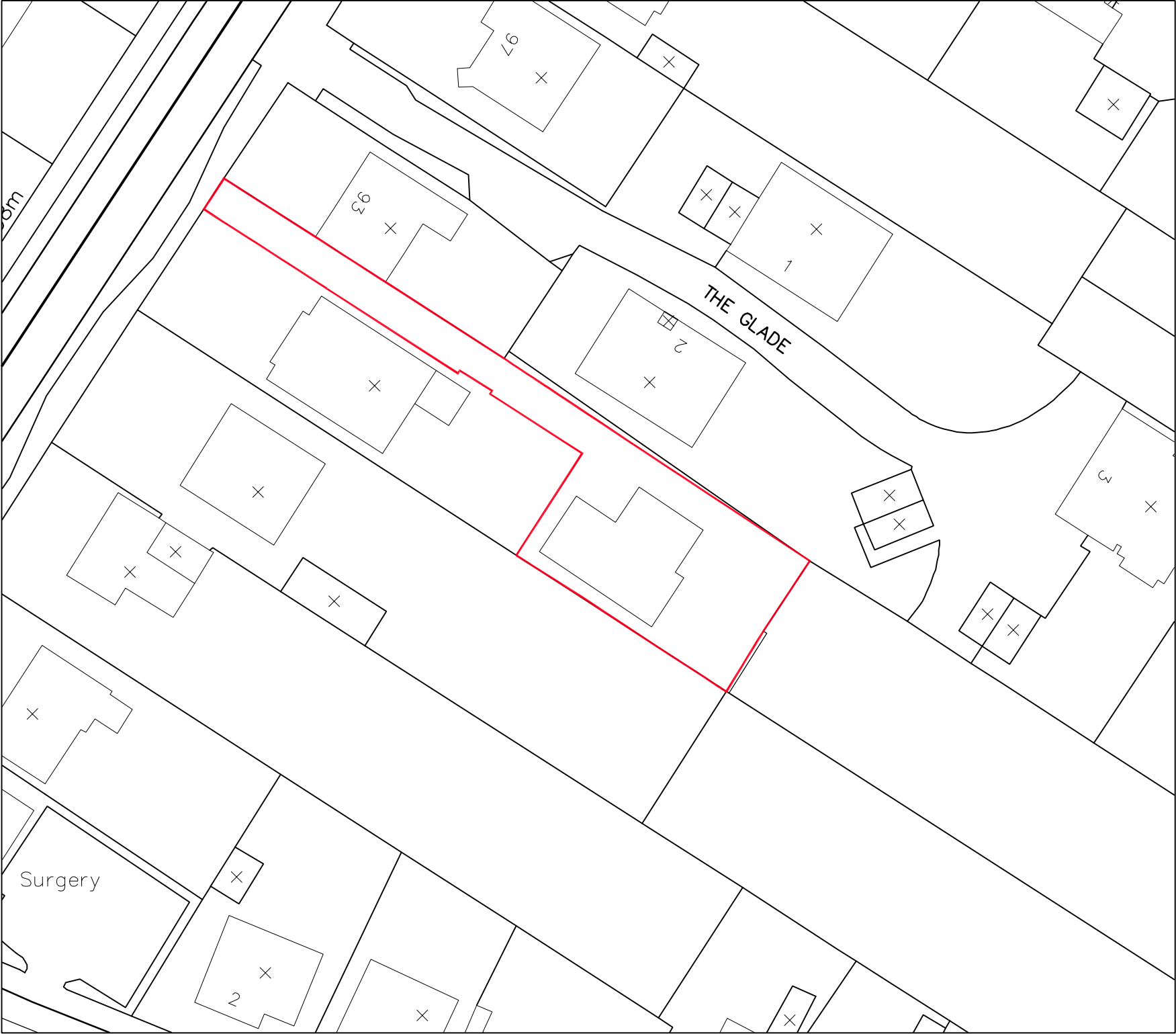
### **Background papers**

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

#### **Notes:**

This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Reference to published works is not included.



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  5. Electrical layouts to be agreed with client & accord to drawing
  6. Drawings to be read in conjunction with specification.




Location Plan (1:1250)  
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Rev	Date	Description	By	PM
<b>REVISIONS:</b>				

**PROJECT STAGE:** PLANNING

**CLIENT:**  
HB Holdings Limited

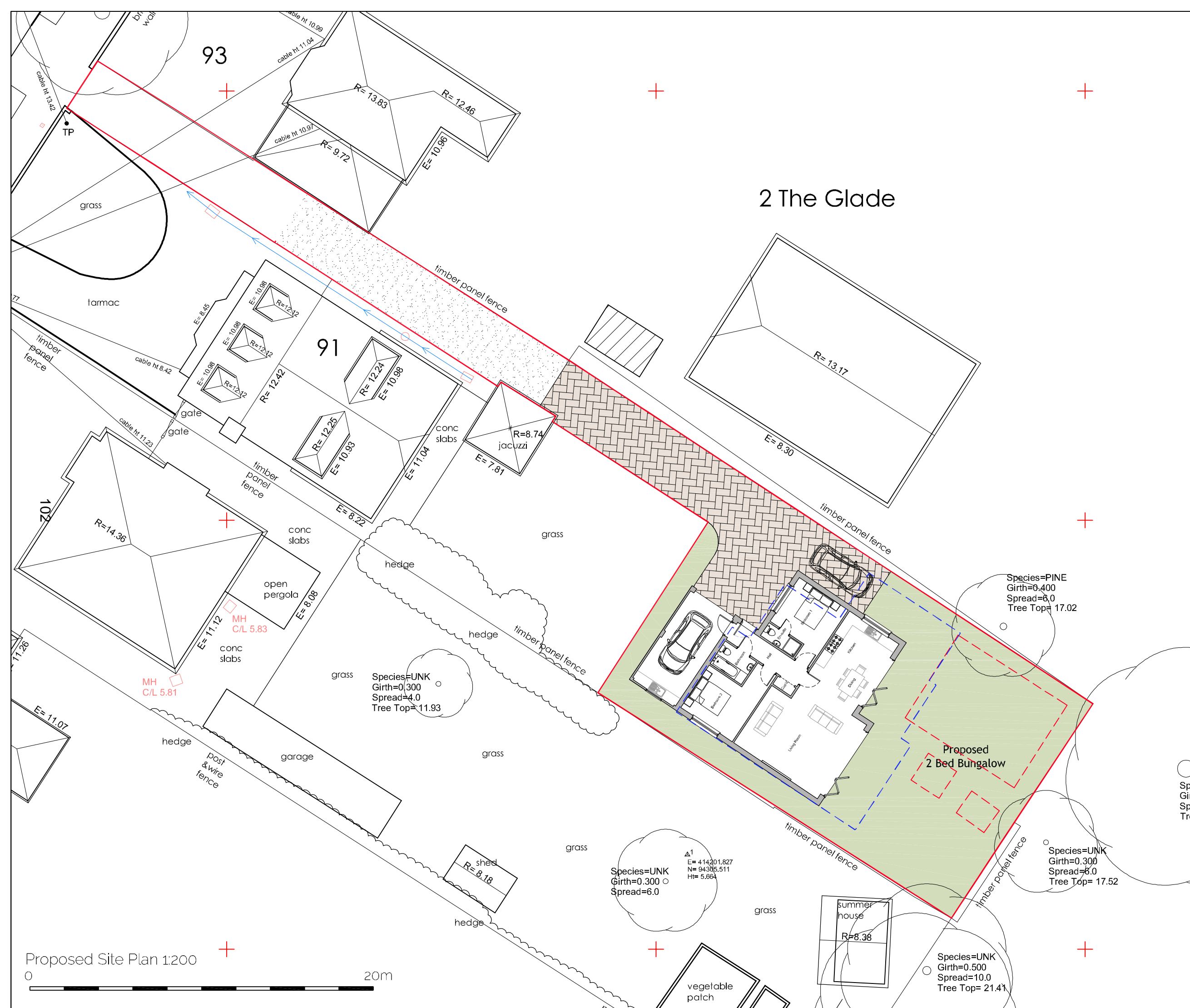
**PROJECT & DRAWING TITLE:**  
r/o 91 The Grove, Christchurch

Block and Location Plan		
Scale @ A3: 1:500, 1:1250	Drawn by: FMS	
Date: 07/12/2020		
DRAWING No: ASP.20.033.001		REVISION: 1

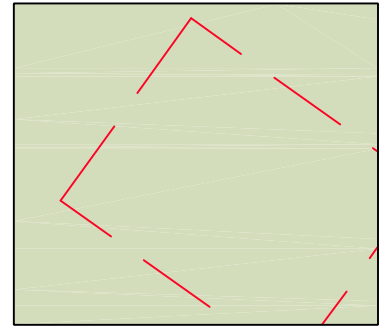
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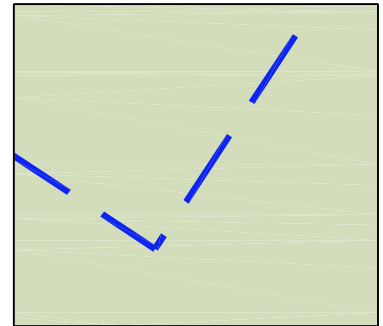




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Existing Out Buildings  
(to be removed)



Outline of previous  
proposal

Rev	Date	Description	By	PM
<b>REVISIONS:</b>				

**PROJECT STAGE:** PLANNING

**CLIENT:**  
HB Holdings Limited

**PROJECT & DRAWING TITLE:**  
r/o g: The Grove, Christenurch  
Proposed Site Plan

Scale @ A3:1:200  
Date: 07/12/2020  
Drawn by: MS

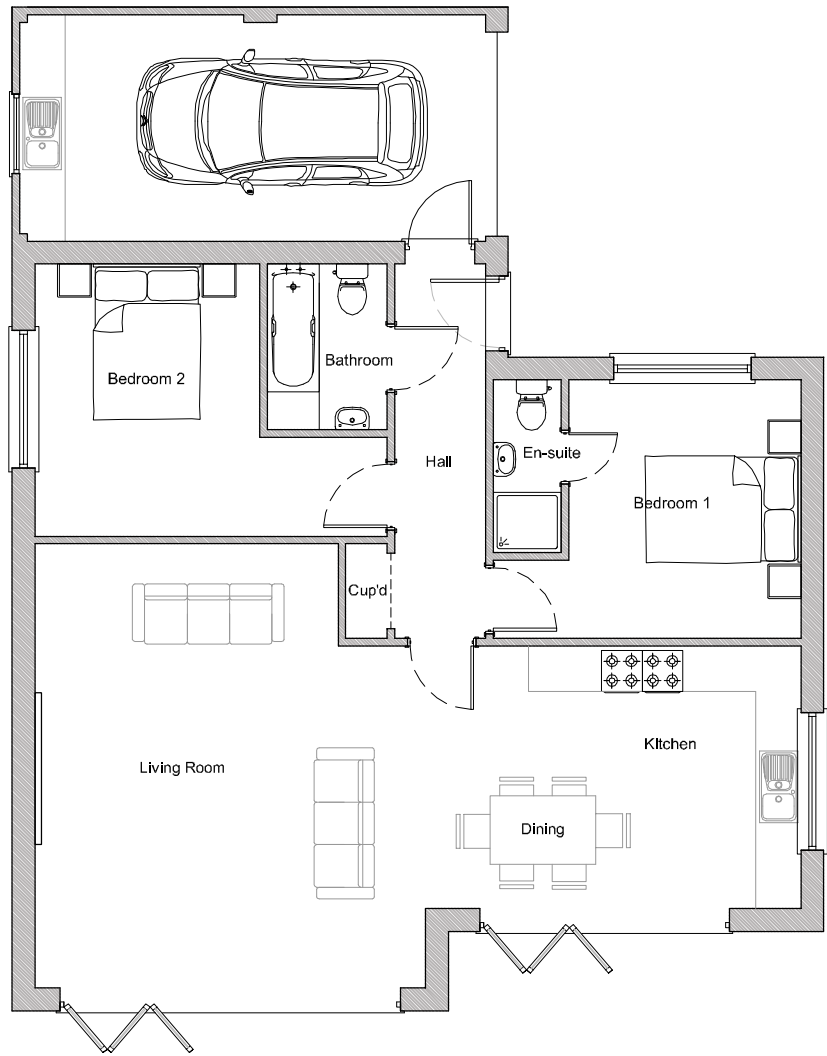
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**REVISION:**

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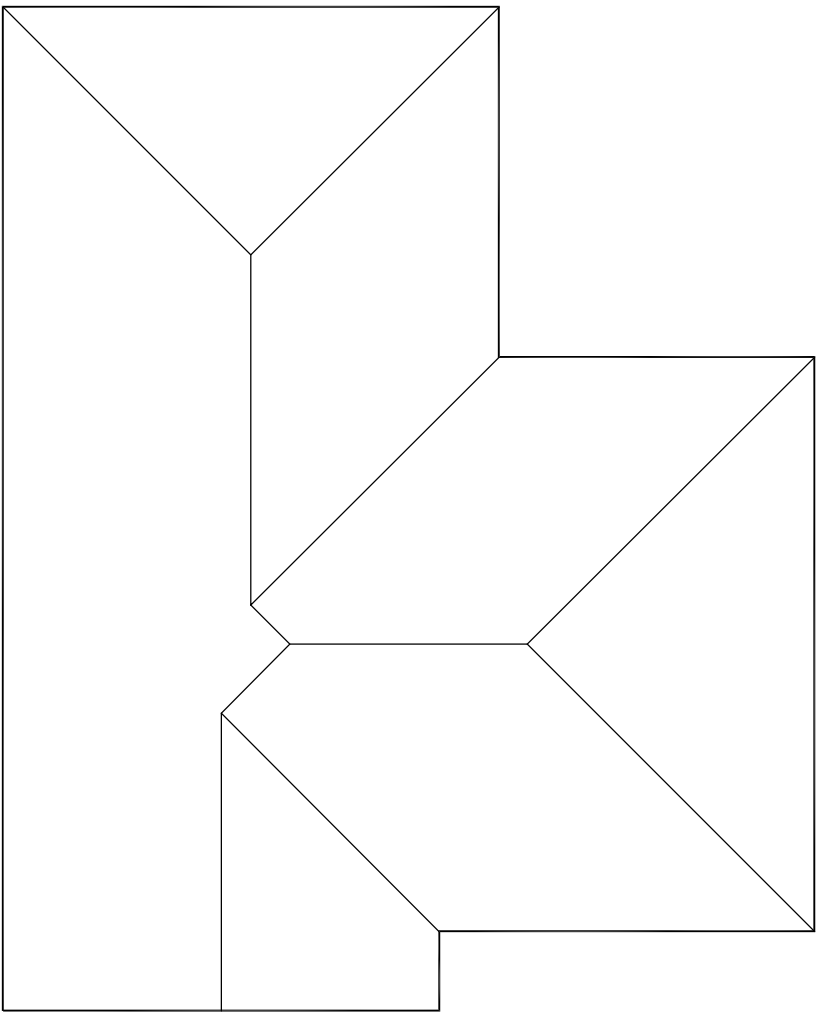
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Ground Floor Plan  
85m2/ 914 sq ft



Roof Plan

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Rev	Date	Description	By	PM
<b>REVISIONS:</b>				


**PROJECT STAGE:** PLANNING

**CLIENT:**  
HB Holdings Limited

**PROJECT & DRAWING TITLE:**

r/o 91 The Grove, Christchurch

Proposed Plans

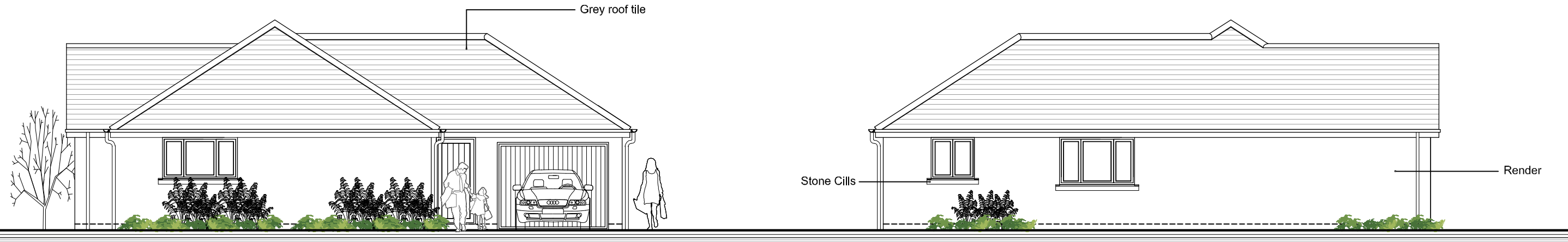
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Date: 17/12/2020		
DRAWING No: ASP.20.033.100	REVISION: 1	

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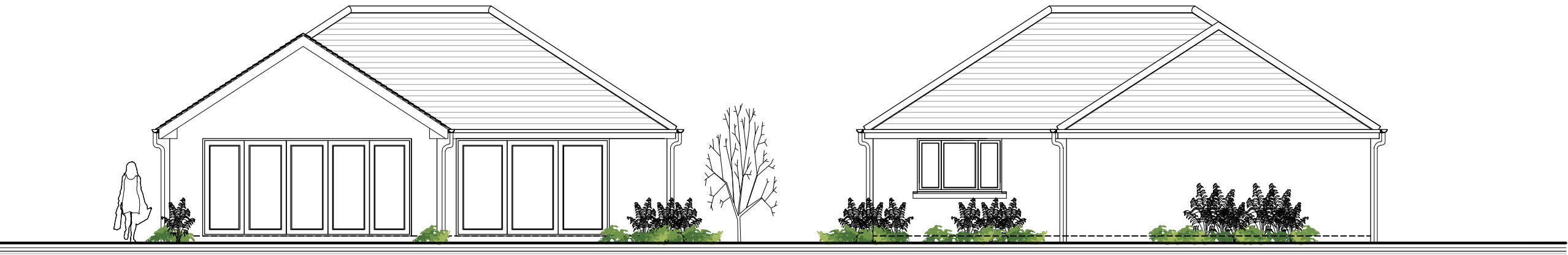
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  5. Electrical layouts to be agreed with client & accord to drawing
  6. Drawings to be read in conjunction with specification.



Front Elevation

Side Elevation

104



Rear Elevation

Side Elevation

Rev	Date	Description	By	PM
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**REVISIONS:**

**PROJECT STAGE:** PLANNING

**CLIENT:**  
HB Holdings Limited

**PROJECT & DRAWING TITLE:**

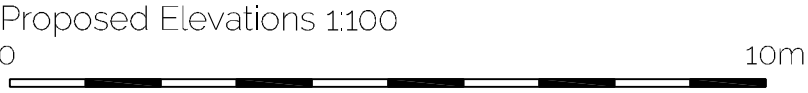
r/o 9: The Grove, Christchurch

Proposed Elevation

Scale @ A3: 1:100	Drawn by: mca	
Date: 07/12/2020		
DRAWING No: ASP.20.033.200	REVISION:	

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# Planning Committee

Application Address	27 Vale Road, Poole, BH14 9AT
Proposal	Replacement of an existing extension, conservatory and car port with a two-storey side and rear extension.
Application Number	APP/21/00661/F
Applicant	Mr Tim Budd
Agent	Mr Mike Ford – Footprint Architects Ltd
Ward and Ward Member(s)	Penn Hill; Councillor Bryan Dion
<b>Summary of Recommendation</b>	<b>Grant in accordance with the details set out below</b>
Reason for Referral to Planning Committee	The proposal is overdevelopment of the site removing significant open space between the houses in a very crowded and built up area. It is overbearing on immediate neighbour at 27 in both height and mass with a knock-on effect to 25 and others due to the downward slope in deprives light and afternoon sun. The extension is a significant departure to the rear housing lines with elevated rear garden overlooking and privacy issues into neighbouring property.
Case Officer	Rebecca Murunga

## Description of Proposal

1. This application seeks planning permission for replacement of an existing extension, conservatory and car port with a two-storey side and rear extension.

## Description of Site and Surroundings

2. This application relates to a detached property on Vale Road, it is in a residential area. There is off road parking at the front of the site. There is significant site level change; the rear garden is on an elevation.

### **Relevant Planning History:**

3. A PP/17/01235/F – Granted 18/10/2017 - Replacement of an existing extension, conservatory and car port with a two-storey side and rear extension.

This application is a resubmission of the previously approved scheme, with alterations to preserve neighbouring amenities. The 3 year expiry period elapsed, and the 2017 approved application was not implemented.

### **Constraints**

4. None.

### **Public Sector Equalities Duty**

5. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **Consultations**

6. BCP Highway Authority - “The parking arrangement will not differ from that which exists at present. The house alterations are unlikely to lead to a significant increase in parking demands. No highway issues with the proposal and therefore Highway Authority can support the proposal.”

### **Representations**

7. In addition to letters to neighbouring properties a site notice was posted outside the site on 26th May 2021 with an expiry date for consultation of 19th June 2021.
8. **Five objecting** representations have been received. The objection comments are summarised below;
  - Overlooking into private garden
  - Loss of sun/daylight
  - Overshadowing
  - Loss of privacy
  - Out of character from the street scene
  - Overbearing
  - Noise and general disturbance from construction
  - Un-neighbourly development

### **Key Issues**

9. The key issues involved with this proposal are:
  - Impact on the character and appearance of the site and wider area

- Impact on neighbouring amenities and privacy
- Parking Provisions and Highway Safety

10. These issues will be considered along with other matters relevant to this proposal below.

### **Policy context**

11. Local documents:

#### **Poole Local Plan (Adopted 2018)**

PP01 Presumption in favour of sustainable development  
 PP27 Design  
 PP35 A safe, connected, and accessible transport network

### **12. The National Planning Policy Framework (2021)**

#### Section 2 – Achieving Sustainable Development

Paragraph 11 sets out the presumption in favour of sustainable development. Plans and decisions should apply a presumption in favour of sustainable development.

For **decision-taking** this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.

#### Section 12 Achieving well-designed places

### **Planning Assessment**

#### Impact on the character and appearance of the site and wider area

13. The proposal would replace the existing rear extension, conservatory, and car port with a two-storey side and rear extension. The proposed developments would not diminish the character of the dwellinghouse and the surrounding area, by virtue of its scale, design, and material finishes. The existing car port would be retained although would be enhanced to integrate with proposed side extension. The proposed alterations to the fenestration would preserve the appearance of the property and would be in keeping with the character of the wider area. The proposed decking and alterations to the rear garden are of an appropriate scale and design and the appearance of the site would be enhanced.

14. The proposed side extension would be above the existing car port to the west elevation, this would be visible to the street scene of Vale Road, although given its set back position and



acceptable scale it would assimilate with the existing property. The proposed side extension would be in keeping with the character and appearance of the street scene.

15. The proposed two storey extension to the rear would be 4.1m deep with a ridge height of 6.8m, this would be lower than the existing ridge of the host dwelling. The proposed materials would not match the existing, however they would not detract from the appearance of the house. The rear extension would enhance the appearance of the house and due to its acceptable design, it would be in keeping with the character of the area.
16. The proposed developments would not be considered overdevelopment to the site, due to its acceptable scale, mass and bulk. There are residential properties of varying scale and design within the streetscene for example neighbouring property No.27a featuring well-integrated side extensions. While the proposed side extension visible to the streetscene would appear subordinate to the existing dwelling, its design would conform with the surrounding area.
17. The proposal would respect the character and appearance of the dwellinghouse and the street scene of Vale Road, therefore it is considered to be acceptable and in accordance with Policy PP27 of the adopted Poole Local Plan (2018).

#### Impact on neighbouring amenities and privacy

18. The proposed side extension to the west elevation would not cause detrimental shading, loss of daylight and would not be overbearing to the neighbouring property No.27A, by virtue of its height, scale and design. There would not be any windows to the west elevation, therefore the privacy of occupants at No.27a would be preserved.
19. It is considered the proposed two storey extension would result to some loss light to the bedroom window at No.25 during the afternoon and lead to some shading towards their rear conservatory, although would not be materially harmful to the occupant's amenities. The proposed rear extension, due to its sitting, scale, and height would not detrimentally impact the amenities of the neighbouring properties in terms of loss of sun/daylight, shading, outlook and it would not be overbearing.
20. The proposed rooflights to the east elevation, due to its sitting above floor level would not give rise to overlooking neighbour No.25, respecting their privacy. The proposed bedroom window to the east elevation would be obscure glazed and secured by condition to ensure privacy is preserved for this neighbouring property.
21. The proposed new fenestrations to the south elevation would include a Juliet balcony on the first floor and would give views of the rear garden, however, no additional harmful overlooking would occur over and above the existing overlooking already afforded from the existing rear windows.
22. The proposed decking to the rear would be at ground floor level and given the existing high boundary wall and vegetation cover there would not be any significant rise to overlooking to the neighbouring properties from this aspect of the proposals. The proposal would preserve the amenity and privacy of the neighbouring properties and it is therefore acceptable in accordance with Policy PP27 of the adopted Poole Local Plan (2018).

#### Parking Provisions and Highway Safety

23. The proposal would maintain off road parking currently on site. Highway Authority support the proposal, stating the parking arrangement will not differ from the existing. The house alterations are unlikely to lead to a significant increase in parking demands. The proposal is therefore in accordance with Policy PP27 and PP35 of the adopted Poole Local Plan (2018).

### **Summary**

24. The proposal would respect and preserve the character and appearance of the surrounding area. Neighbouring amenity and privacy would be preserved and the proposals would not have any adverse impact on parking provisions and highway safety.

### **Planning Balance**

25. The proposed development is considered to have no material impact on the character and appearance of the surrounding area. The proposal is considered to respect residential amenities and seeks to preserve the privacy of neighbouring properties. It is considered the proposed extensions would lead to an element of shading and loss of daylight to nearby properties, although no harm has been identified to warrant refusal of the proposal.

26. Therefore, having considered the appropriate development plan policies and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring residents and would retain existing parking provisions. The Development Plan Policies considered in reaching this decision are set out above. Subject to conditions the proposal is acceptable, and according to NPPF paragraph 11(c) development should be approved without delay.

### **Recommendation**

**27. GRANT permission subject to the following conditions:**

#### **1. Time expiry 3 Years**

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.

Reason –

This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

#### **2. Plans Listing**

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

Site Location Plan and Proposed Block Plan (Drg No.P001\_RevA): received 27/04/2021

Proposed Site Plan (Drg No.P003\_RevA): received 27/04/2021

Proposed Floor Plans (Drg No.P006\_RevA): received 27/04/2021

Proposed North and South Elevation (Drg No.P007\_RevA): received 27/04/2021

Proposed West Elevation (Drg No.P008\_RevA): received 27/04/2021

Proposed East Elevation (Drg No.P009\_RevB): received 13/10/2021

Reason –

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

### **3. Material to match existing building**

The materials and finishes to be employed on the external faces shall be as specified on the application form and approved plans.

Reason –

To ensure a satisfactory visual relationship of the new development and that existing and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

### **4. Obscure glazing of window(s)**

Both in the first instance and upon all subsequent occasions, the first floor window on the approved plan (drawing no. P009\_RevB) on the east elevation 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 PP27 of the Poole Local Plan (November 2018).

## **Informatives:**

### **1. Working with applicants: Approval**

In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and]
- advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.

Also:

- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified

## **Background Documents:**

Case File: APP/21/00661/F

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

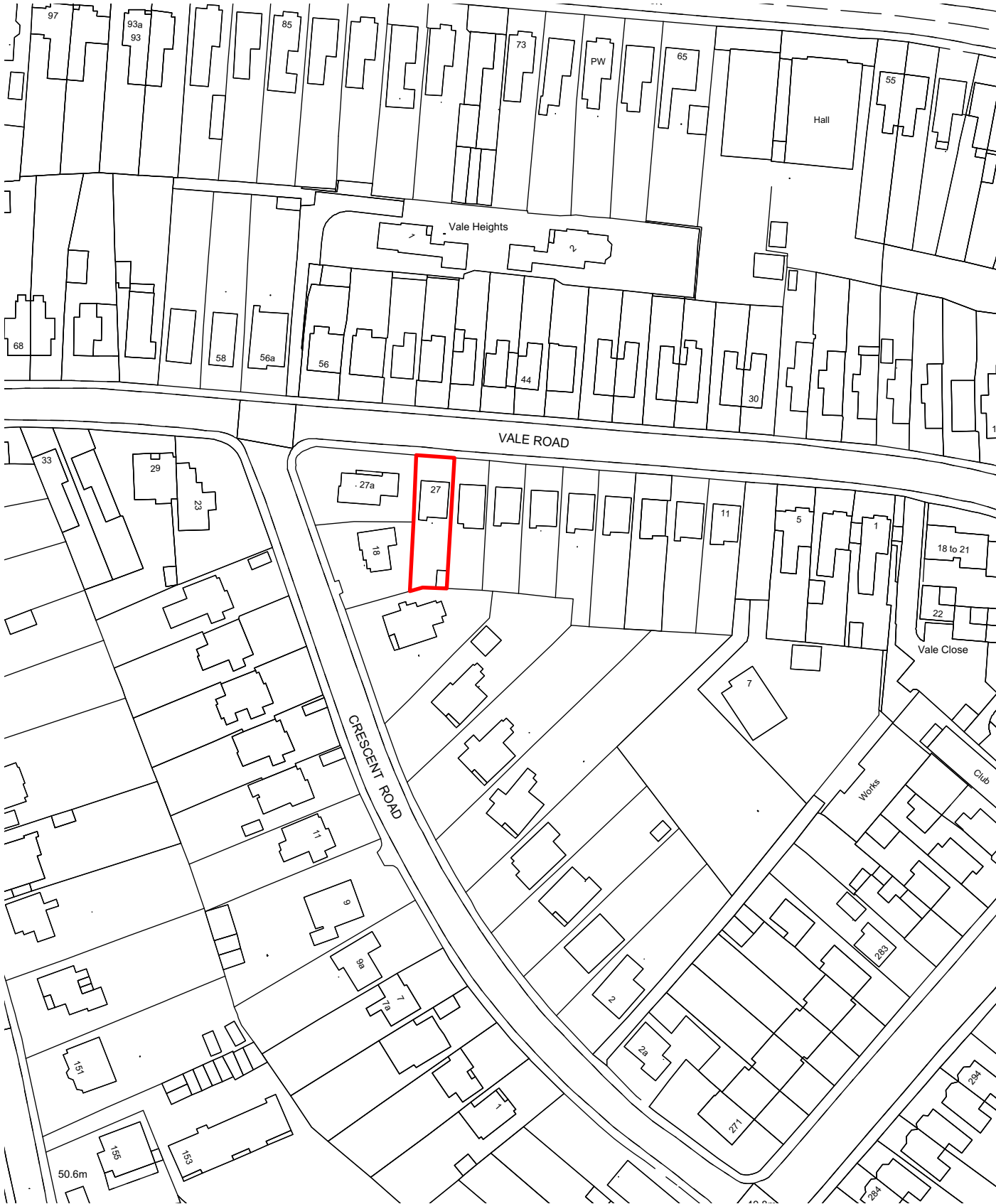
Notes.

This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Reference to published works is not included.

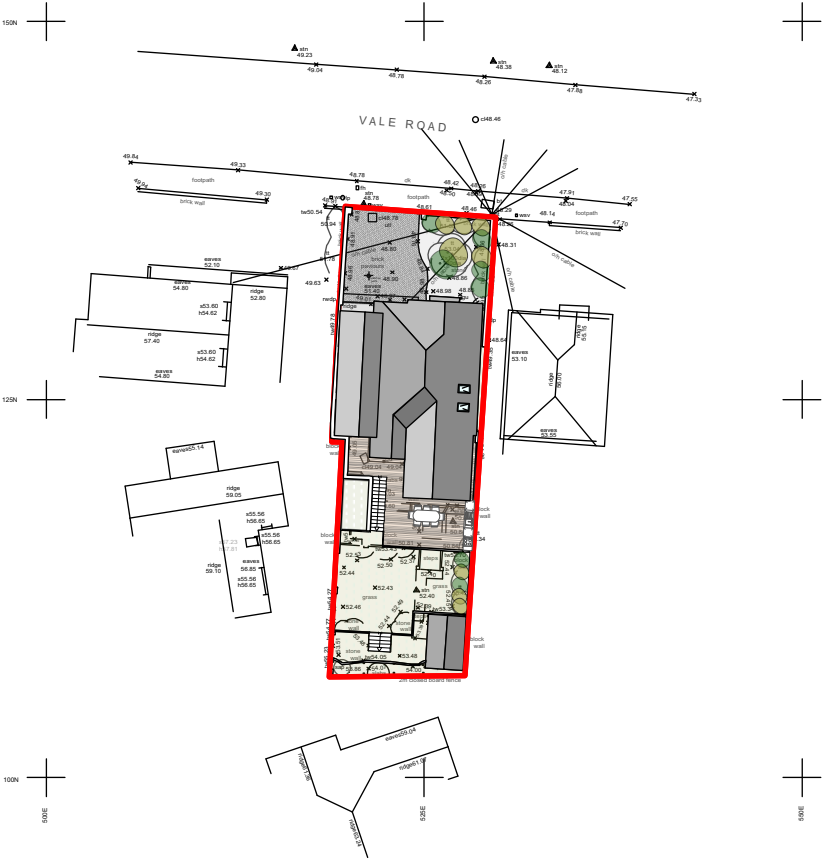
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113



Existing Site Location Plan  
Scale 1:1250

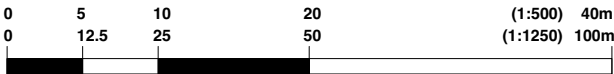
Site Location Plan & Proposed Block Plan



Proposed Block Plan  
Scale 1: 500

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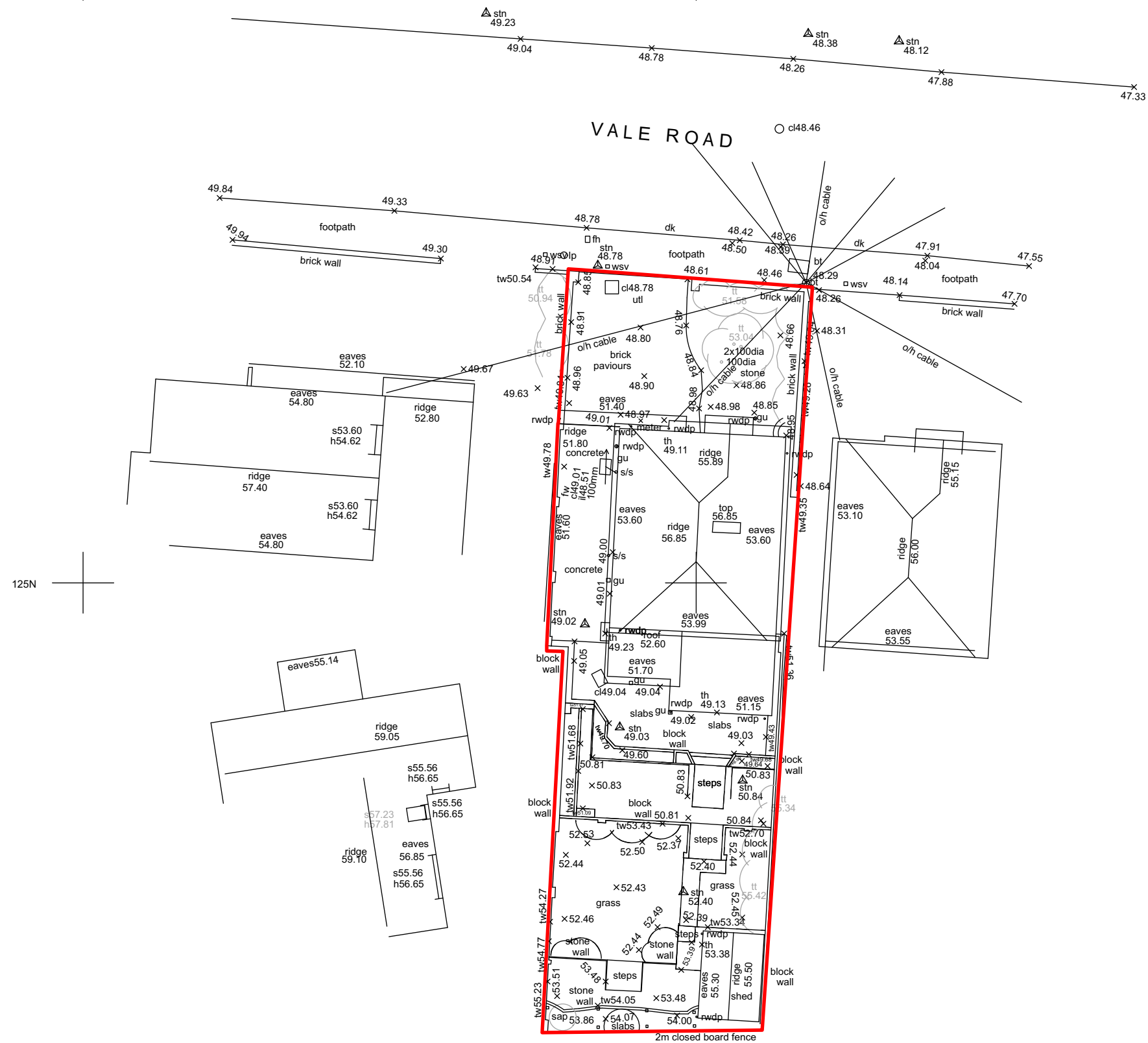
Rev A - 2017.09.22\_Garden bridge removed

N



Project: 27 Vale Road		
Subject: Site Location Plan & Proposed Block Plan		
Scale: As Shown	Status: Planning	Date: June 2017
Project Ref: 7203	Drawing: P001_RevA	

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### Existing Site Plan

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Revisions:



Project:	27 Vale Road
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Subject: Existing Site Plan

Scale: 1:200 @ A3

Status: Planning
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Date: June 2017

Project Ref: 7203

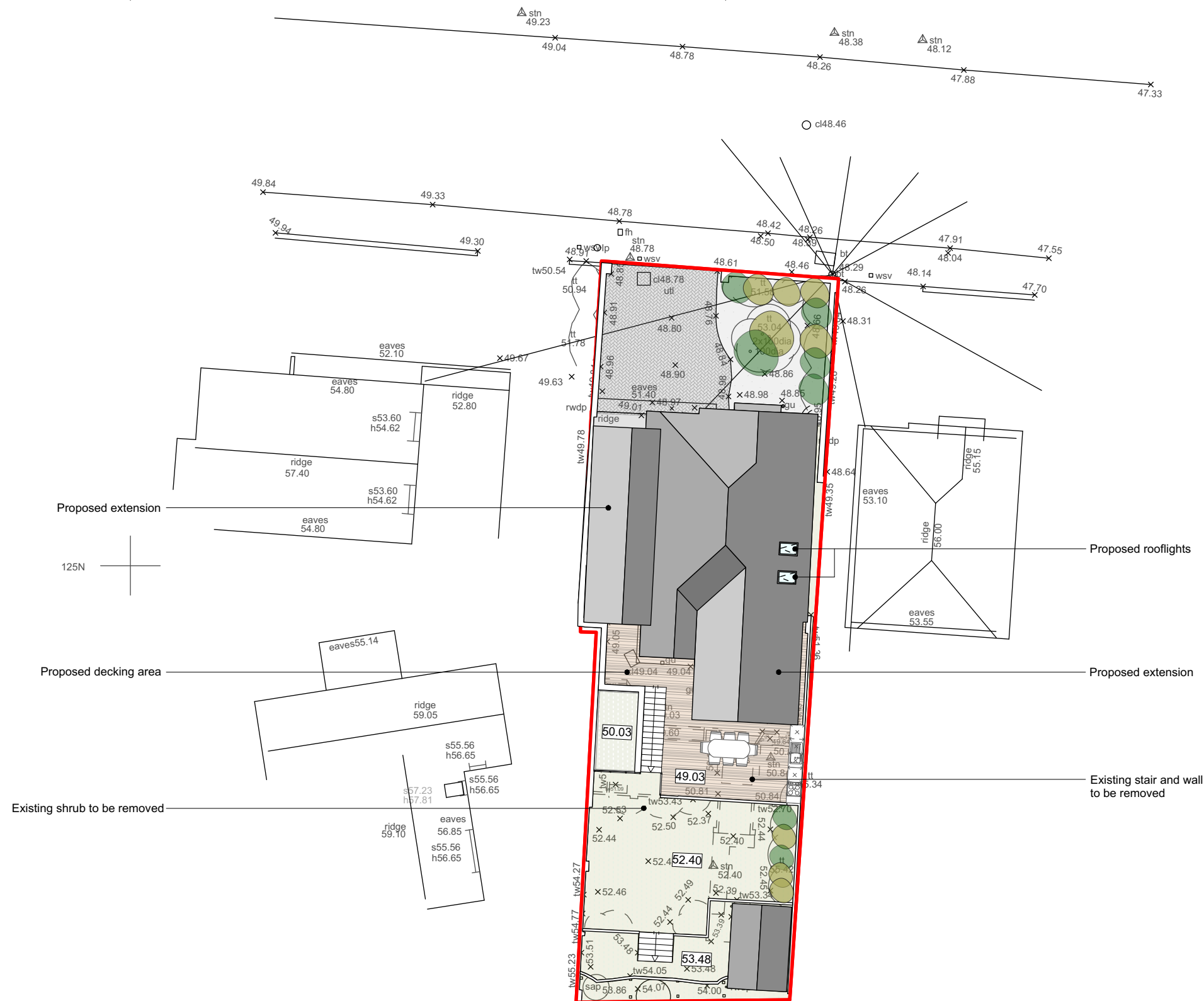
Drawing: P002

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## Proposed Site Plan

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Revisions:

Revisions:

Rev A - 2017.09.22_Garden bridge removed
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Project:	27 Vale Road
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Subject: Proposed Site Plan

Scale: 1:200 @ A3

Status: Planning
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Date: June 2017

Project Ref: 7203

Drawing: P003 RevA

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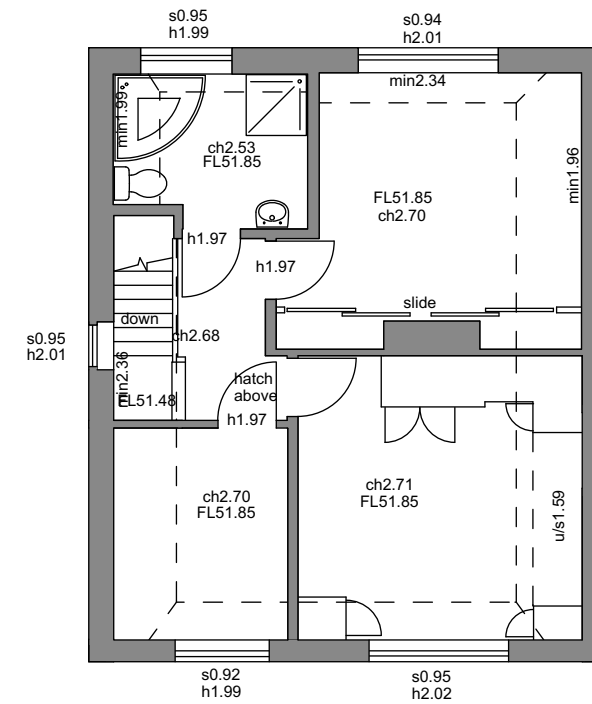
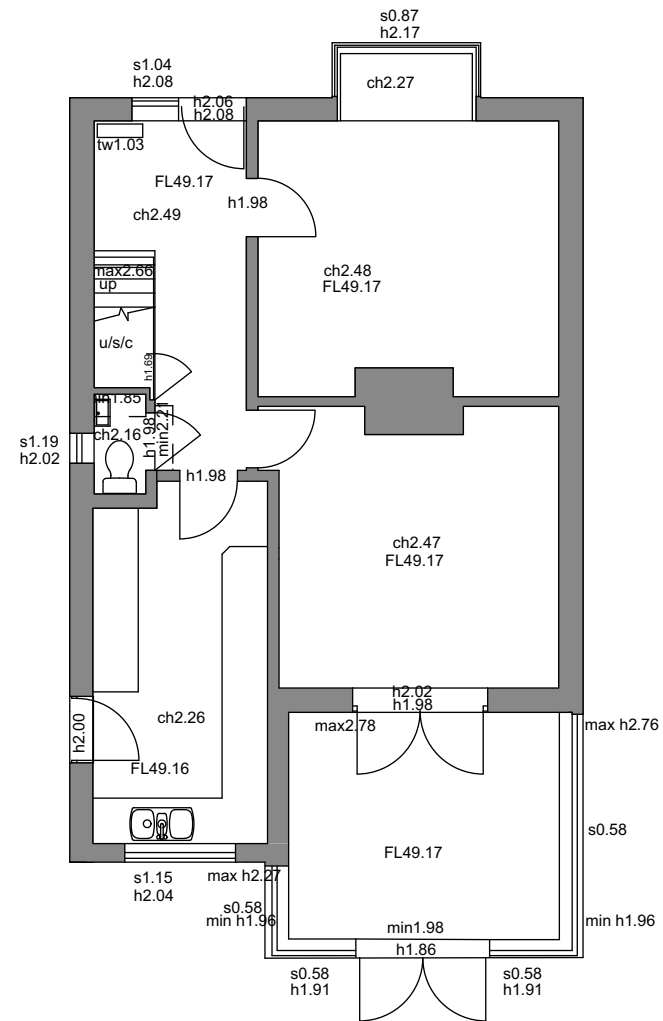
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## Existing Floor Plans

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General Notes:



Revisions:



Project:	27 Vale Road
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Subject: Existing Floor Plans

Scale:1:100 @ A3

Status: Planning
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Date: June 2017

Project Ref: 7203

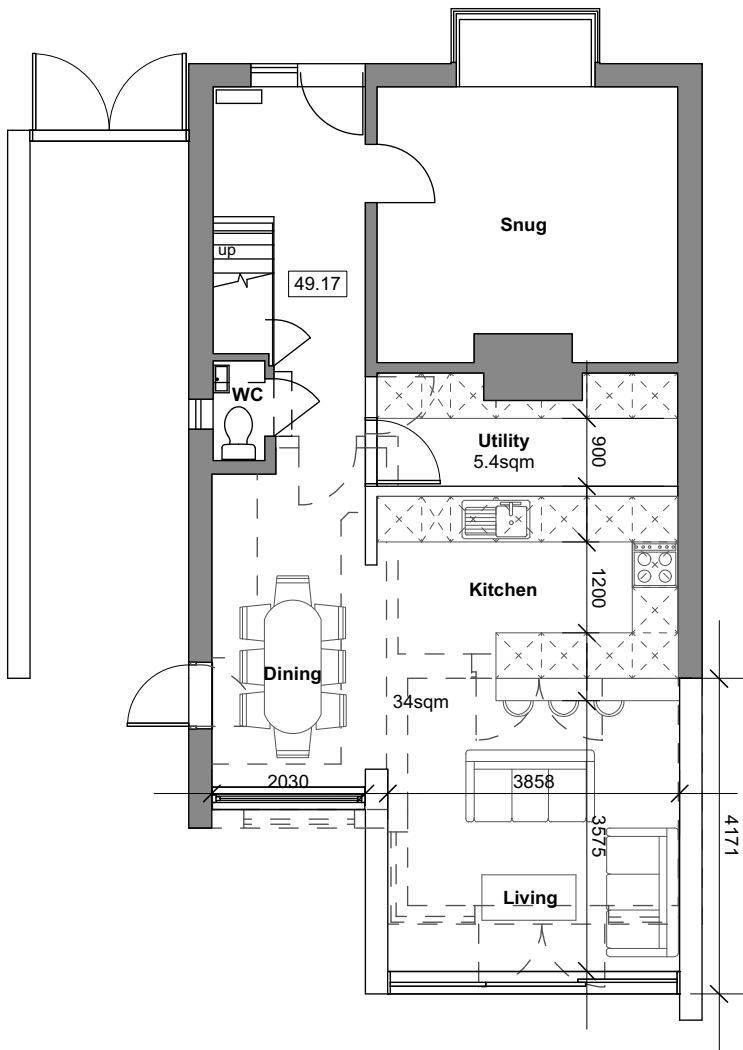
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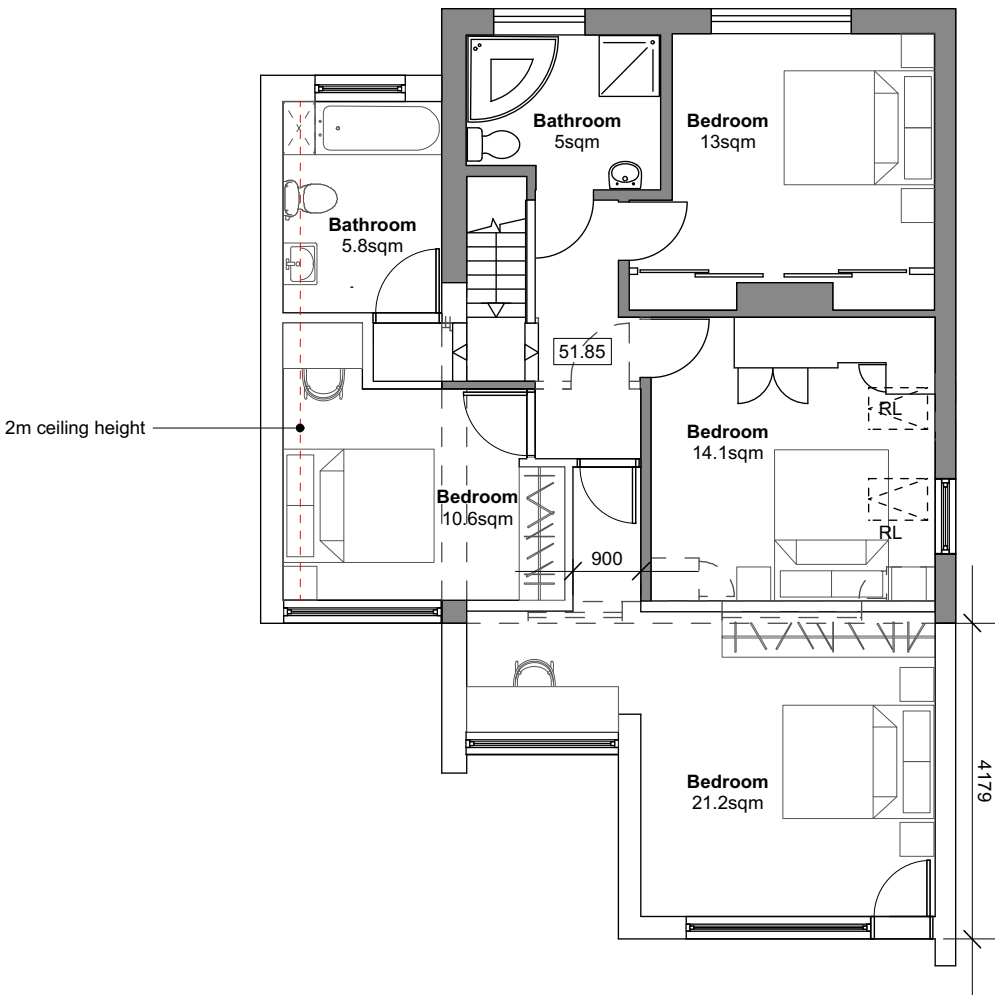
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Proposed Ground Floor Plan  
Scale 1:100

Area - GIA  
Ground floor - 68 sqm



Proposed First Floor Plan  
Scale 1:100

Area - GIA  
Ground floor - 82.6 sqm

Wall Keys

Existing Wall

Proposed Wall

Proposed Floor Plans

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General Notes:

0124

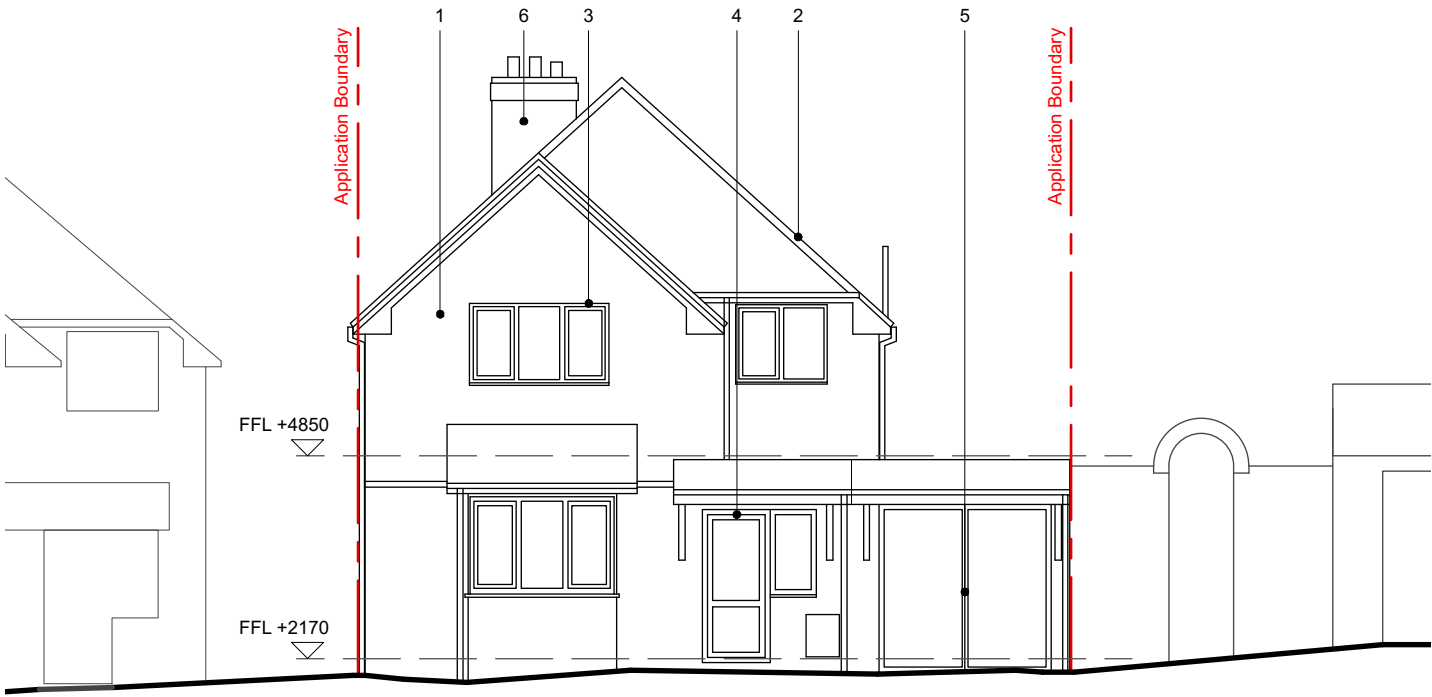
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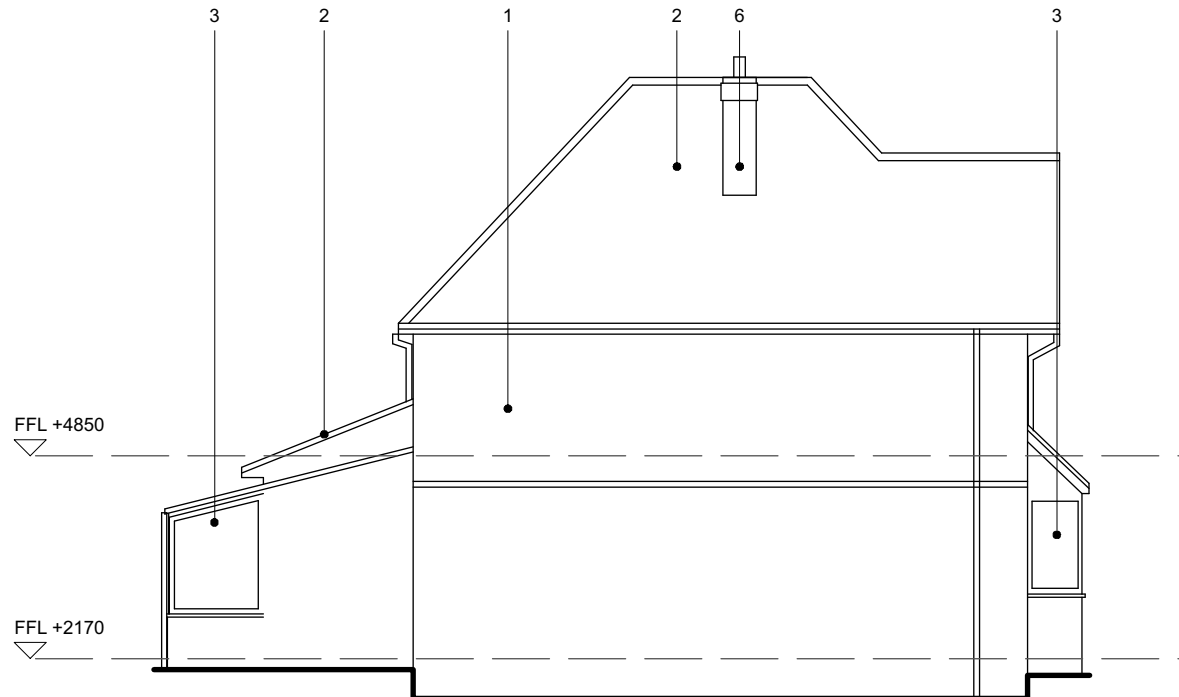
Revisions: Rev A - 2017.09.22_Garden bridge removed, Bedroom Window moved			Project: 27 Vale Road		
			Subject: Proposed Floor Plans		
Scale: 1:100 @ A3	Status: Planning	Date: June 2017			
Project Ref: 7203	Drawing: P006_RevA				

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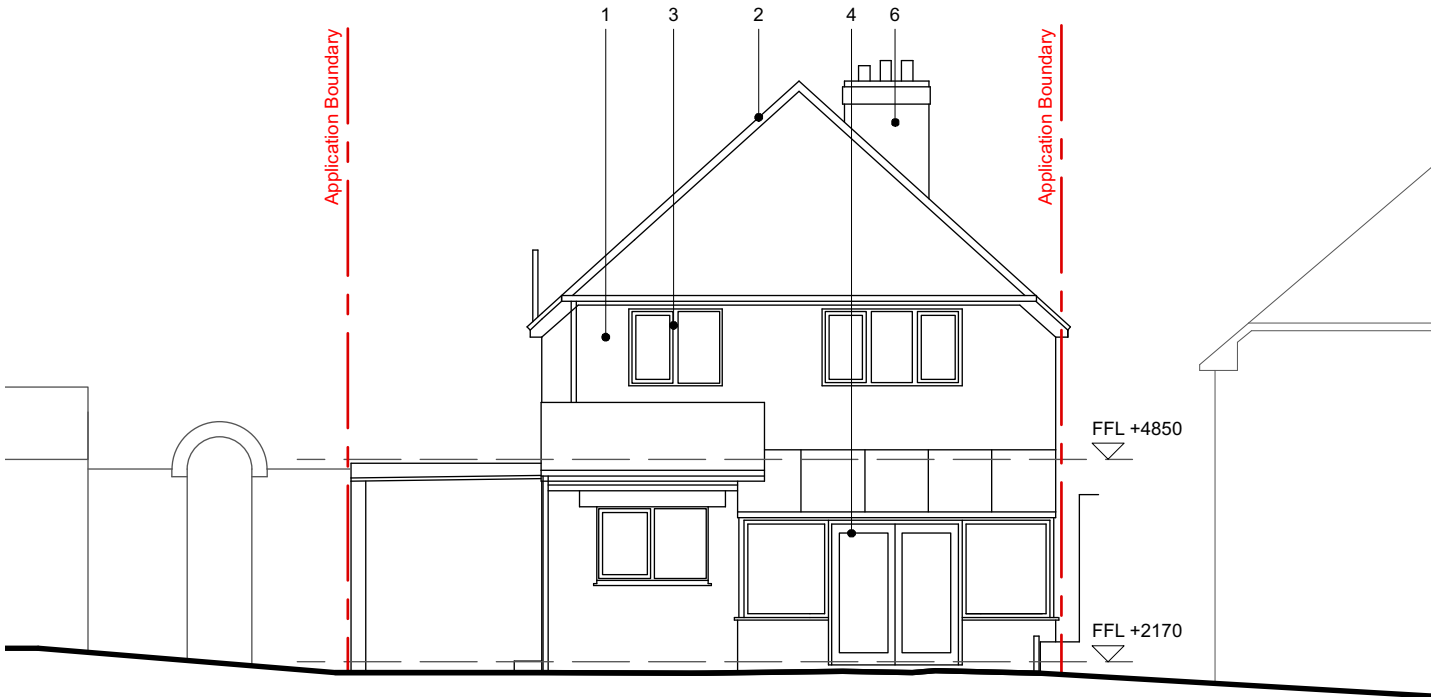
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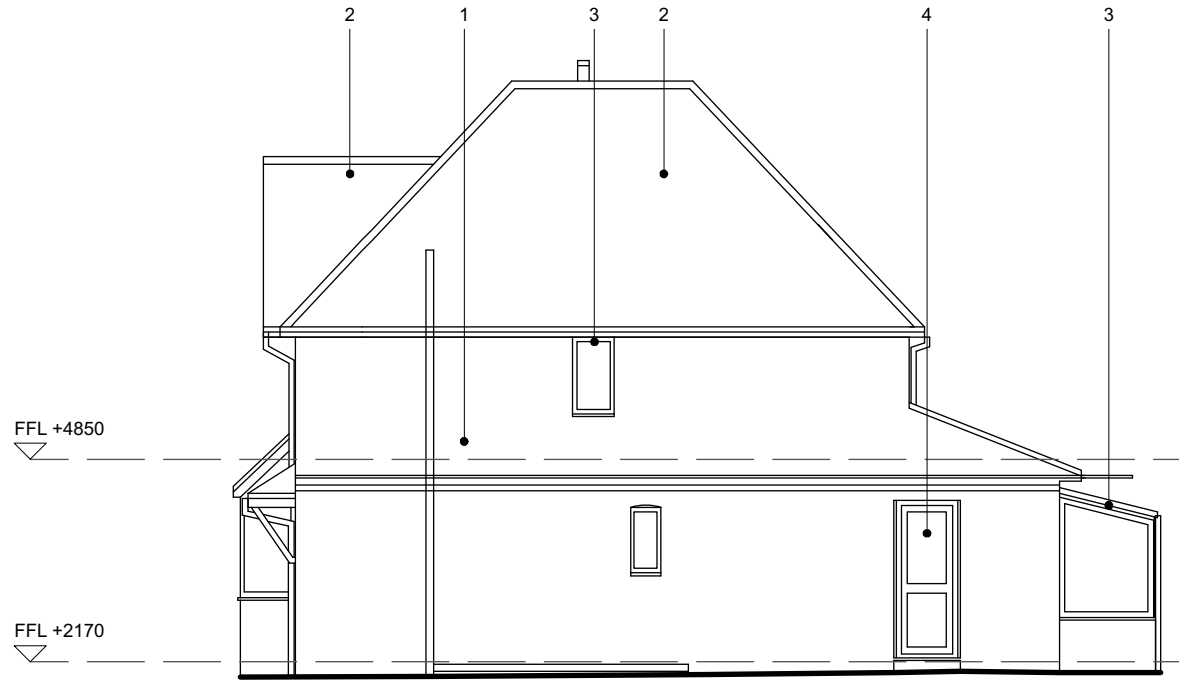
Existing North Elevation  
Scale 1:100



Existing East Elevation  
Scale 1:100



Existing South Elevation  
Scale 1:100



Existing West Elevation  
Scale 1:100

Existing Elevations

- Existing Material Key**
- 01 | White render
  - 02 | Roof tile
  - 03 | UPVC windows
  - 04 | UPVC doors
  - 05 | Metal gate
  - 06 | Brick chimney

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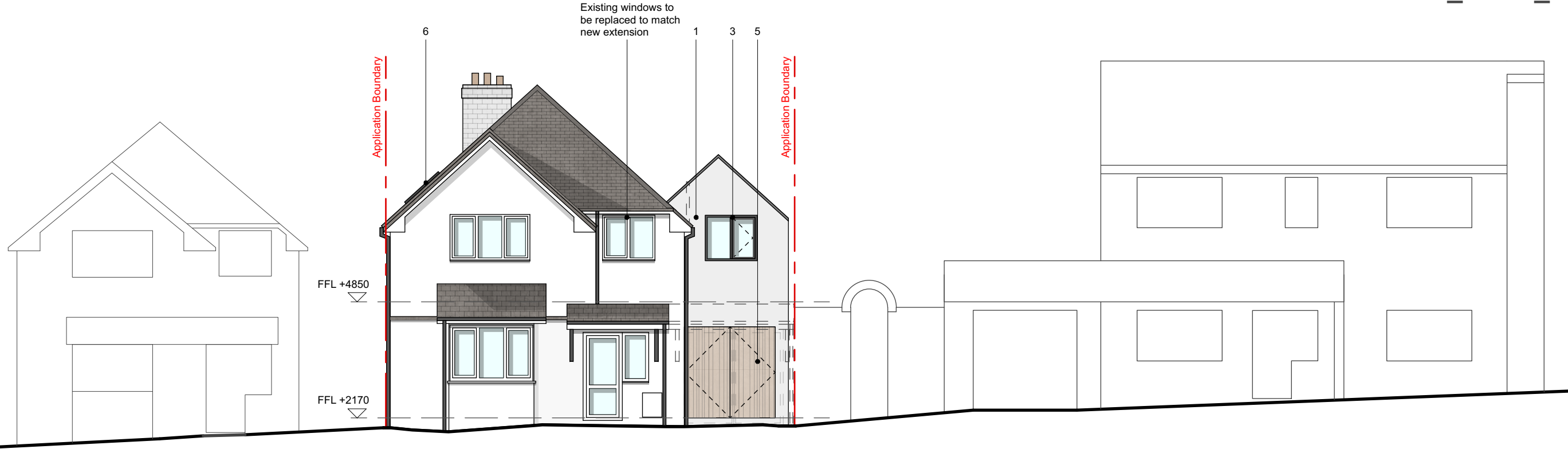
General Notes:



Revisions:

Project: 27 Vale Road		
Subject: Existing Elevations		
Scale: 1:100 @ A3	Status: Planning	Date: June 2017
Project Ref: 7203	Drawing: P005	

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Proposed North Elevation  
Scale 1:100



Proposed South Elevation  
Scale 1:100

- Proposed Material Key**
- 01 | Light grey render
  - 02 | Vertical timber cladding
  - 03 | Dark grey frame windows
  - 04 | Dark grey frame doors
  - 05 | Timber gate
  - 06 | Dark grey frame rooflight
  - 07 | Glass balustrade
  - 08 | Clay/Slate Roof

Proposed North & South Elevation

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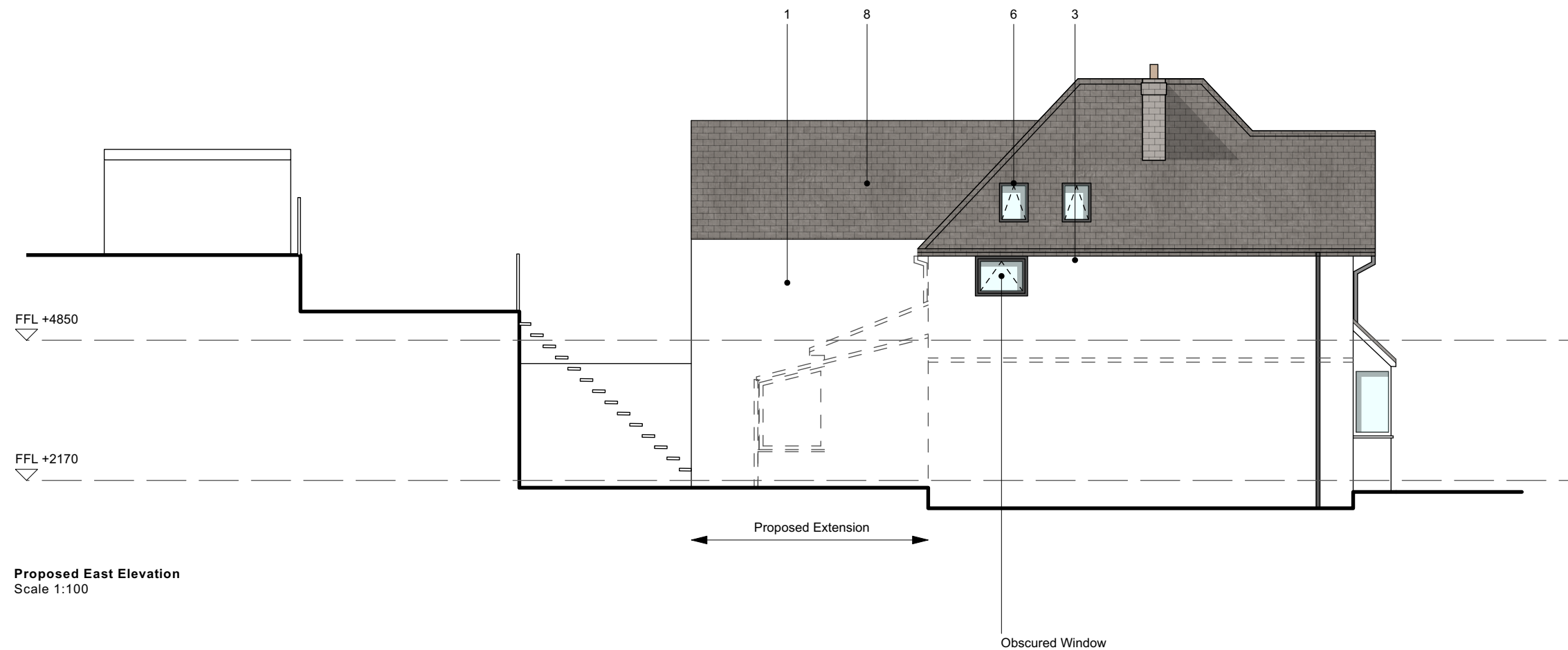


Revisions:

Rev A - 2017.09.22\_Garden bridge removed,

Project: 27 Vale Road		
Subject: Proposed North & South Elevation		
Scale: 1:100 @ A3	Status: Planning	Date: June 2017
Project Ref: 7203	Drawing: P007_RevA	

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**Proposed East Elevation**  
Scale 1:100

### Proposed East Elevation

- Proposed Material Key**
- 01 | Light grey render
  - 02 | Vertical timber cladding
  - 03 | Dark grey frame windows
  - 04 | Dark grey frame doors
  - 05 | Timber gate
  - 06 | Dark grey frame rooflight
  - 07 | Glass balustrade
  - 08 | Clay/Slate Roof

Notes: Unless otherwise stated, this drawing is for information only. Do not scale. Use figured dimensions only. Check all dimensions on site and advise of any discrepancies before commencing work on site.

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General Notes:
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Revisions:

Rev A - 2017.09.22 Garden bridge removed, Bedroom Window moved

Rev B - 2021.10.13 Annotation for obscured window

Project:	27 Vale Road
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Subject: Proposed East Elevation

Scale: 1:100 @ A3

Status: Planning
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Date: June 2017

Project Ref: 7203

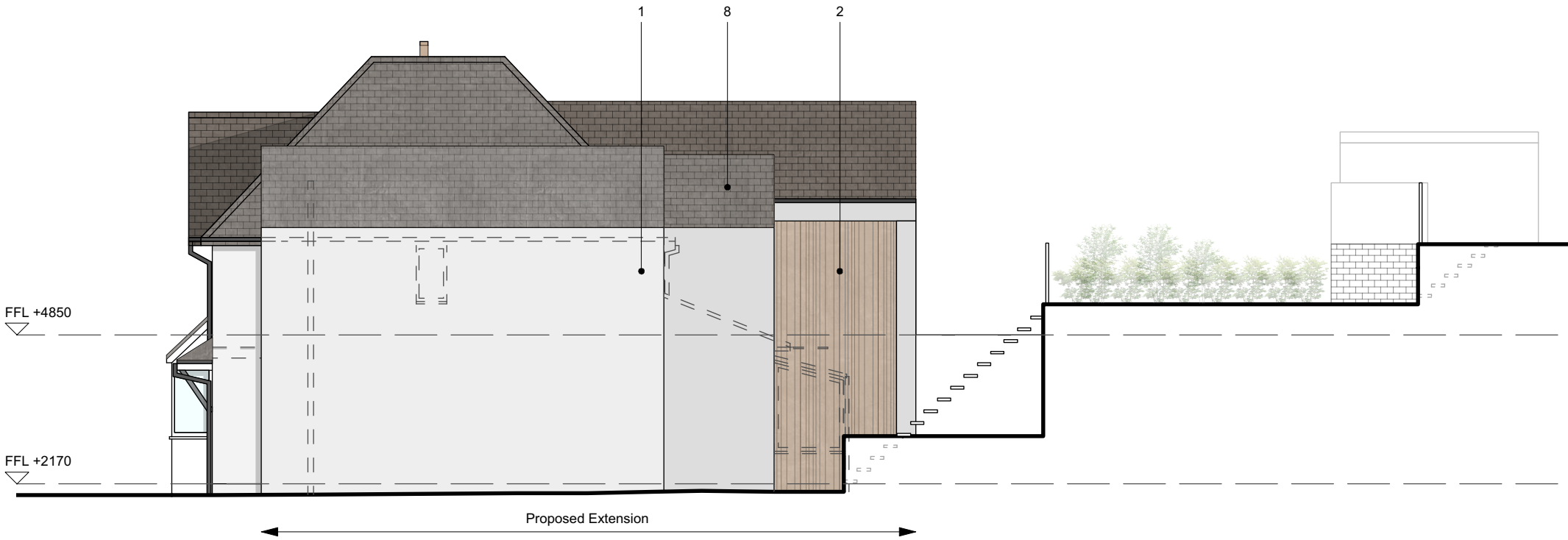
Drawing: P009\_RevB

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Proposed West Elevation  
Scale 1:100

- Proposed Material Key**
- 01 | Light grey render
  - 02 | Vertical timber cladding
  - 03 | Dark grey frame windows
  - 04 | Dark grey frame doors
  - 05 | Timber gate
  - 06 | Dark grey frame rooflight
  - 07 | Glass balustrade
  - 08 | Clay/Slate Roof

Proposed West Elevation

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General Notes:



Revisions:

Rev A - 2017.09.22\_Garden bridge removed,

Project: 27 Vale Road		
Subject: Proposed West Elevation		
Scale: 1:100 @ A3	Status: Planning	Date: June 2017
Project Ref: 7203	Drawing: P008_RevA	

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