

Notice of Planning Committee



Date: Thursday, 20 October 2022 at 10.00 am

Venue: Committee Room, First Floor, BCP Civic Centre Annex, St Stephen's Rd, Bournemouth BH2 6LL

Membership:

Chairman:

Cllr D Kelsey

Vice Chairman:

Cllr T Johnson

Cllr S Baron
Cllr D Borthwick
Cllr S Bull
Cllr M Davies
Cllr G Farquhar

Cllr P R A Hall
Cllr P Hilliard
Cllr R Lawton
Cllr M Le Poidevin
Cllr S McCormack

Cllr T O'Neill
Cllr Dr F Rice
Cllr T Trent

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=4707>

If you would like any further information on the items to be considered at the meeting please contact: Jill Holyoake, Democratic services on 01202 096660 or email democratic.services@bcpCouncil.gov.uk

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

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

12 October 2022



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



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)

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 - 16

To confirm and sign as a correct record the minutes of the Meetings held on 22 September 2022 and 4 October 2022.

5. Public Issues

17 - 28

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 one day before the meeting. 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 Planning Committee Protocol for Public Speaking and Statements, a copy of which is included with this agenda sheet and is also published on the website on the following page:

<https://democracy.bcpccouncil.gov.uk/mgCommitteeDetails.aspx?ID=290>

Part A of the Protocol will apply to this meeting of the Planning Committee, summarised as follows:

Speaking at Planning Committee (in person or virtually*):

- There will be a maximum combined time of five minutes to speak in objection and up to two persons may speak within the five minutes.

- There will be a further maximum combined time of five minutes to speak in support and up to two persons may speak within the five minutes.
- No speaker may speak for more than half this time (two and a half minutes) UNLESS there are no other requests to speak received by the deadline OR it is with the agreement of the other speaker.

*The Chairman has agreed to exercise his discretion to enable speakers to join the meeting remotely on MS Teams if preferred. For further information please contact Democratic Services.

Submitting a statement to Planning Committee as an alternative to speaking:

- Anyone who has registered to speak by the deadline may, as an alternative to attending/speaking in person or virtually, submit a written statement to be read out on their behalf.
- Statements must be provided to Democratic Services by 12noon one day before the meeting.
- A statement must not exceed 450 words (and will be treated as amounting to two and a half minutes of speaking time).

Please refer to the full Protocol document for further guidance.

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 to 6d, as updated by the agenda addendum sheet to be published on 19 October 2022.

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.bcpccouncil.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.bcpccouncil.gov.uk/Planning-and-building-control/Planning-policy/Current-Local-Plans/Current-Local-Plan.aspx>

- | | | |
|----|---|----------|
| a) | 8 Glenmount Drive, Poole BH14 0HL
Parkstone Ward

APP/22/00240/P

Demolition of the existing dwelling and the erection of 1 pair of semi-detached dwellings and 1 detached house. | 29 - 60 |
| b) | 43 Ashwood Drive, Poole BH18 8LN
Broadstone Ward

APP/22/00814/F

Remodelling, refurbishment, ground and first floor extensions. Construction of detached single storey double garage. New boundary treatment and gate. | 61 - 78 |
| c) | 28 Harbour View Road, Poole BH14 0PE
Parkstone Ward

APP/22/00977

Loft conversion with dormer. | 79 - 94 |
| d) | 19 Mude Gardens, Christchurch BH23 4AR
Mudford, Stanpit and West Highcliffe Ward

8/22/0560/HOU

Works to demolish and rebuild existing sunroom, including addition of balcony. | 95 - 114 |

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 22 September 2022 at 10.00 am

Present:-

Cllr D Kelsey – Chairman

Cllr T Johnson – Vice-Chairman

Present: Cllr S Baron, Cllr D Borthwick, Cllr M F Brooke, Cllr S Bull,
Cllr G Farquhar, Cllr P R A Hall, Cllr P Hilliard, Cllr R Lawton,
Cllr S McCormack, Cllr T O'Neill, Cllr Dr F Rice and Cllr T Trent

51. Apologies

Apologies for absence were received from Cllrs M Davies and M Le Poidevin

52. Substitute Members

Cllr M Brooke substituted for Cllr M Le Poidevin

53. Declarations of Interests

Cllr S Baron declared that he was strongly opposed to the application at 6d on the agenda and would instead speak as Ward Councillor and not take part in the debate or the vote.

Cllrs T Johnson and T Trent declared personal interests as the respective Ward Councillors, but had no interest beyond that and would therefore remain on the committee for this item.

54. Confirmation of Minutes

The Minutes of the previous meetings were signed and confirmed as a correct record.

55. Public Issues

There were a number of requests to speak on planning applications considered by the Planning Committee. The Chairman exercised his discretion as permitted by the Protocol for Speaking/Statements to allow those who wished to address the committee directly, to do so virtually via Microsoft Teams if they preferred.

56. Schedule of Planning Applications

Prior to the consideration of the planning applications, the Head of Planning highlighted the amended recommendations that had been included on the addendum sheet for Christchurch and Poole applications to address the

emerging issues surrounding phosphorus and the environmental impacts upon Poole Harbour and the River Avon respectively.

The Committee considered planning application reports, copies of which had been circulated and which appear as Appendices A to F to these minutes in the Minute Book. There was an addendum sheet published on 21 September 2022 which appears as appendix G to these minutes. The Committee considered the planning applications as set out below:

57. Glenferness Avenue Bridge, Glenferness Avenue, Bournemouth

Talbot and Branksome Woods

7-2022-28280

Demolition and replacement of the existing pedestrian bridge from the eastern side of the vehicle bridge and installation of new bridges on both sides for pedestrian and cyclists with associated landscaping - Regulation 3.

Public Representations:

Objectors

❖ Susan Stockwell

Applicant/Supporters

❖ Gary Powell

Ward Councillors

❖ None

RESOLVED that Planning Permission be granted in accordance with the recommendation set out in the officer report.

Voting:

For – 11

Against – 2

Abstentions – 1

Note: Cllr G Farquhar requested that his vote for the motion be recorded.

58. 9 Avon Run Road, Christchurch, BH23 2BU

Mudford, Stanpit & West Highcliffe

8/22/0401/OUT

Demolish existing dwelling and erect two no. detached houses with integral garages and parking.

Public Representations:

Objectors

- ❖ John Watkins
- ❖ James & Carol Curren

Applicant/Supporters

- ❖ Giles Moir

Ward Councillors

- ❖ Lesley Dedman

RESOLVED that Planning Permission be granted in line with the recommendation set out in the officer report, as updated by the Addendum Sheet.

Voting:

For – 6

Against – 5

Abstentions – 2

Notes: Cllr G Farquhar requested that his vote against the motion be recorded.

Cllr T O'Neill did not take part in the debate or the vote as he had not been able to visit the site.

59. Parrs Quality Confectionery, 26 Alder Road, Poole, BH12 2AQ

Alderney and Bourne Valley

APP/20/00877/F

Erection of a Class E discount foodstore and Class E coffee shop with associated access, car parking and landscaping.

Public Representations:

Objectors

- ❖ Mr R Piper

Applicant/Supporters

- ❖ Alan Williams
- ❖ Barbara Bayliff

Ward Councillors

- ❖ None

RESOLVED that Planning Permission be delegated to the Head of Planning to grant, contrary to the recommendation in the officer report, subject to the Head of Planning preparing a S106 agreement and appropriate conditions in consultation with the Chair and Vice-Chair of the Planning Committee, Councillor T Trent in his capacity as Ward Councillor, and Councillor T O'Neill.

Voting:

For – 7

Against – 7

Abstentions – 0

Note: The Chairman used his casting vote.

60. Purbeck Court, 65-67 Boscombe Overcliff Drive, Bournemouth, BH5 2EN

Boscombe East and Pokesdown

7-2022-3914-B

Erection of a 5 storey building consisting of 13 x 2-bed flats and 6 x 3-bed flats with associated access and parking, involving demolition of existing residential and garage buildings.

Public Representations:

Objectors

- ❖ Philip Stanley Watts
- ❖ Neil and Susan Lyon

Applicant/Supporters

- ❖ Ken Parke

Ward Councillors

- ❖ Andy Jones

RESOLVED that Planning Permission be refused, contrary to the recommendation set out in the officer report.

Reasons for refusal:

- **The Application was contrary to the Boscombe and Pokesdown Neighbourhood plan due to its density and it did not comply with the required housing mix**
- **The application was contrary to the Parking Standards SPD as it did not provide sufficient parking for visitors on-site.**

Voting:

For – 8

Against – 6

Abstentions – 0

Note: Cllr G Farquhar requested that his vote for the motion be recorded

Cllrs P R A Hall and S Bull left the meeting after the voting on this item and did not return.

Post Meeting Note: Cllr G Farquhar referenced policy BAP4 from the Boscombe and Pokesdown Neighbourhood Plan in the Motion to refuse the

application, however, this relates to Open Spaces. Two of the reasons given for refusal at the meeting were in relation to density of the development and housing mix, which are policies BAP1 and BAP6 and, as such, will be referenced in the decision notice.

61. The Sloop, 5 Commercial Road, Poole, BH14 0HU

Parkstone

APP/22/00091/F

Erect a single block of 86 flats with associated access, parking, and landscaping.

Public Representations:

Objectors

❖ None Registered

Applicant/Supporters

❖ Simon McFarlane

Ward Councillors

❖ Steve Baron

RESOLVED that Planning Permission be granted in line with the recommendation detailed in the officer report, as updated by the Addendum Sheet.

Voting:

For – 9

Against – 1

Abstentions – 1

62. 42 Springfield Road, Poole, BH14 0LQ

Parkstone

APP/21/00186/P

Outline application to demolish existing buildings and erect 10 flats together with undercroft parking and associated access (all matters except landscaping for consideration).

Public Representations:

Objectors

❖ Natalie Chalmers

Applicant/Supporters

❖ Giles Moir

Ward Councillors

❖ None registered

RESOLVED that Planning Permission be delegated to the Head of Planning to grant in line with the recommendation set out in the officer report, as updated by the addendum sheet and further amended by the case officer during the meeting in respect of the final list of conditions and approach to addressing any impacts with respect to phosphates.

Voting:

For – 8

Against – 3

Abstentions – 1

The meeting ended at 3:34pm

CHAIRMAN

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
PLANNING COMMITTEE

Minutes of the Meeting held on 04 October 2022 at 10.00 am

Present:-

Cllr D Kelsey – Chairman

Cllr T Johnson – Vice-Chairman

Present: Cllr S Baron, Cllr D Borthwick, Cllr M F Brooke (In place of Cllr M Le Poidevin), Cllr S Bull, Cllr P Hilliard, Cllr R Lawton, Cllr T O'Neill, Cllr Dr F Rice and Cllr T Trent

63. Apologies

Apologies were received from Cllrs M Davies, G Farquhar, P Hall, M Le Poidevin and S McCormack.

64. Substitute Members

Cllr M Brooke substituted for Cllr M Le Poidevin for this meeting.

65. Declarations of Interests

Cllr S Baron reported that in his role as Lead Member for Regeneration he'd had discussions with Historic England and various other interested parties in relation to the application for 13 – 15 High Street, Poole. He spoke as a non-committee councillor and then sat in the public gallery for the rest of the discussion and did not take part in the vote.

66. Public Issues

There were a number of requests to speak on planning applications considered by the Planning Committee. The Chairman exercised his discretion as permitted by the Protocol for Speaking/Statements to allow those who wished to address the committee directly, to do so virtually via Microsoft Teams if they preferred.

67. Schedule of Planning Applications

The Committee considered planning application reports, copies of which had been circulated and which appear as Appendices A and B to these minutes in the Minute Book. There was an addendum sheet published on 3 October 2022 which appears as Appendix C to these minutes. The Committee considered the planning applications as set out below:

68. 13-15 High Street, Poole, BH15 1AB

Poole Town Ward

APP/21/01199/F

Redevelopment of the site to form 40 apartments and 424sqm of Class E space, following partial demolition of existing buildings'

Public Representations

Objectors

- ❖ None registered

Applicant/Supporters

- ❖ Giles Moir
- ❖ Mr Richardson (speaking on behalf of Jake Culley)

Ward Councillors

- ❖ Cllr Mark Howell, speaking in objection

RESOLVED that Planning Permission be granted in accordance with the recommendation and conditions set out in the Officer's report and in the addendum and with the following additions agreed by the Committee:

- "Overage clause to review affordable housing viability" to be included as an additional term in the list of terms under the Section 106 provision b) of the Recommendation
- Informative Note: The applicant should note and inform future residents of the approved scheme that they may be excluded by the Council from being able to purchase an on-street residents permit or visitors parking permits in the locality of the site. This is to reduce the transport impacts from the development due to the low levels of car parking provision being proposed.

Voting:

For – 7 Against – 3 Abstain – 0

Note: Cllr S Baron did not take part in this item as a committee member and therefore did not take part in the vote.

69. 29 Cynthia Road, Poole, BH12 3JE

Newtown and Heatherlands Ward

APP/22/00230/F

Sever land, demolish existing buildings and erect 3 No 2 bed houses with parking

Public Representations

Objectors

- ❖ Written statement submitted by Jeff Puddy on behalf of residents of 39/41/43 Jacqueline Road

Applicant/Supporters

- ❖ Neil McKeon on behalf of the applicant

Ward Councillors

- ❖ Cllr Millie Earl (call in), speaking in objection

RESOLVED that Planning Permission be granted in accordance with the recommendation and conditions set out in the Officer's report as amended by the addendum and with the following additions agreed by the Committee:

- **Add “and thereafter retained” to the end of the current wording of Condition 9**
- **Add “The landscaping scheme shall make provision for the planting of *tilia cordata* in the rear gardens of the approved dwellings, adjacent to the northern boundary” at the end of the first paragraph and prior to the words “Upon Approval:” within Condition 13.**

Voting:

For – 6 Against – 5 Abstain – 0

70. Update on Pre application presentations

The Chairman advised members of the intention to include pre application presentations on the agenda for future Planning Committee meetings. It was explained that such presentations were intended to keep members informed of forthcoming applications and that all members of the Council would be welcome to attend. Following feedback from the Committee, members were assured that guidance would be provided on how such presentations would be dealt with by the Committee and that presentations would be timed to ensure that agenda did not become overloaded.

The meeting ended at 11.40 am

CHAIRMAN

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PLANNING COMMITTEE - PROTOCOL FOR SPEAKING / STATEMENTS AT PLANNING COMMITTEE

1. Introduction

- 1.1. The following protocol facilitates opportunities for applicant(s), objector(s) and supporter(s) to express their views on planning applications which are to be considered at a meeting of the Planning Committee.
- 1.2. This protocol is separate from and is not intended to replicate or replace the procedure for submitting a written representation on a planning application to the Council during the consultation period.
- 1.3. To reflect on-going uncertainty / possible necessary changes to the format of a Planning Committee meeting at short notice, this protocol it is divided into Part A and Part B. Part B addresses situations where due to health and safety issues there are limitations on arrangements for attendance at meetings.
- 1.4. Subject as provided for below, Part A of the protocol will apply to every meeting of the Planning Committee. However, at the discretion of the Head of Planning in consultation with the Chair, Part B of the protocol will apply in place of Part A to any meeting of the Planning Committee. In considering whether Part B of the protocol should apply, regard will be had to any relevant extant risk assessment of BCP Council as to the need for social distancing / other health and safety measures at Planning Committee meetings.
- 1.5. So far as circumstances reasonably permit, a final decision as to whether Part B of this protocol will apply to a specific meeting of the Planning Committee will normally be made by the Head of Planning in advance of the publication of the agenda and a note of this decision placed on the agenda. In the event that the Head of Planning makes such a decision after an agenda has been published or revises an earlier decision after this date, then so far as reasonably practicable, the Council will seek to provide notice of any such decision. Such notice may take the form of information being placed on the Council's website and/or seeking to contact any parties who via written notice to the Democratic Services Unit have been given the opportunity to speak at or have a statement read out at the meeting.
- 1.6. **Any person who wishes to seek clarification as to which Part of the protocol applies to a meeting of a Planning Committee or generally as to public engagement at the Planning Committee can contact the Democratic Services Unit by email at democraticservices@bcpcouncil.gov.uk**

2. Broadcasting and recording of Planning Committee

- 2.1. Meetings of the Planning Committee may be audio recorded and / or filmed by the Council for live or subsequent broadcast. * Further details regarding access to information and the recording of meetings including by members of the public is available in the Council's Constitution and may be requested from the Democratic Services Unit. The Constitution is available on the Council's website. A useful link in this respect is:

3. Call in by a councillor

- 3.1. So far as practicable, any councillor who has referred an application to the Planning Committee for decision will normally be expected to speak at the meeting to explain their reason(s) for the call in.

4. Order of presentation of an application

- 4.1. The running order in which planning applications are heard will normally follow the order as appears on the agenda unless the Planning Committee otherwise determines.
- 4.2. In considering each application the Committee will usually take contributions in the following order:
- (a) presenting officer(s);
 - (b) objector(s);
 - (c) applicant(s) /supporter(s);
 - (d) councillor who has called in an application / ward councillor(s);
 - (e) questions and discussion by voting members of the Planning Committee, which may include points of clarification from officers, leading to a decision.

5. Guidance on what amounts to a material planning consideration

- 5.1. As at the date of adoption of this protocol, the National Planning Portal provides the following guidance on material planning considerations:
- 5.2. “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.
- 5.3. 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/faq/4/what_are_material_considerations#:~:text=A%20material%20consideration%20is%20a,Loss%20of%20light%20or%20overshadowing

6. Chair's General Discretion

- 6.1. The Chair has absolute discretion as to how this protocol shall be applied in respect of any individual application so far as it relates to the conduct of the meeting including whether in any circumstance it should be waived, added to or otherwise modified. This discretion includes varying the speaking time allowed and the number of speakers. Where a decision has been taken to adjust any part of this protocol the Chair will normally aim to identify such change at the start the meeting of the Planning Committee. In the event of any uncertainty as to the interpretation or application of any part of this protocol a determination by the Chair will be conclusive.

7. Updates

- 7.1. Any updates on planning applications to be considered by the Committee will be published by Democratic Services as soon as reasonably practicable after 12 noon on the day before the meeting.

Note

For the purpose of this protocol:

- (a) reference to the "Chair" means the Chair of Planning Committee and shall include the Vice Chair of Planning Committee if the Chair is at any time unavailable or absent and the person presiding at the meeting of a Planning Committee at any time that both the Chair and Vice Chair of Planning Committee are unavailable or absent;
 - (b) reference to the Head of Planning includes any officer nominated by them for the purposes of this protocol and if at any time the Head of Planning is unavailable, absent or the post is vacant / ceases to exist, then the Development Management Manager or if also unavailable / absent or that post is vacant/no longer exists then the next most senior officer in the development management team (or any of them if more than one) who is first contactable;
 - (c) reference to 'ward councillor' means a councillor in whose ward the application being considered at a meeting of Planning Committee is situated in whole or part and who is not a voting member of the Planning Committee in respect of that item;
 - (d) a "wholly virtual meeting" is a meeting of the Planning Committee where no one including officers and councillors physically attend the meeting; and
 - (e) a meeting will not be held as a "wholly virtual meeting" unless legislation permits.
- * Any electronic broadcasting and recording of a meeting by the Council is dependent upon it being reasonably practically able to do so at the time of the meeting. A meeting other than a wholly virtual meeting may proceed even if it cannot be electronically broadcast and / or recorded.

PART A

8. Application of Part A

- 8.1. A meeting of the Planning Committee to which Part A of this protocol applies may, so far as capacity allows, be attended in person 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.
- 8.2. In circumstances where Part A applies, an opportunity will normally be provided for persons attending a meeting of the Planning Committee to speak at it in relation to an application being considered at that meeting to the extent as provided for in this protocol.

9. Speaking at Planning Committee

- 9.1. Any applicant, objector or supporter who wishes to speak at a Planning Committee meeting must register a request in writing with the Democratic Services Unit by 12 noon at least one clear working day prior to the date of the meeting. A person registering such a request should:
 - (a) make clear as to the item(s) on which they wish to speak;
 - (b) provide contact details including a telephone number and/or email address at which they can be reached; and
 - (c) identify whether they support or oppose the application.
- 9.2. There will be a maximum combined time of **five** minutes allowed for any person(s) objecting to an application to speak. A further combined **five** minute maximum will also be allowed for any supporter(s). Up to **two** people may speak during each of these allotted times (the applicant(s) and any agent for the applicant(s) will each count as separate speakers in support). No speaker may speak for more than half this time (i.e. **two and a half minutes**) unless:
 - (a) there is no other speaker who has also been allotted to speak for the remainder of the five minutes allowed; or
 - (b) the other allotted speaker expressly agrees to the speaker being entitled to use more than half of the total speaking time allowed.
- 9.3. If more than two people seek to register a wish to speak for either side, an officer from the Democratic Services Unit may ask those wishing to speak to appoint up to two representatives to address the Planning Committee. In the absence of agreement as to representatives, entitlement to speak will normally be allocated in accordance with the order when a request is received. However, in the event of an applicant(s) and / or the agent of the applicant(s) wishing to speak in support of an application such person(s) will be given the option to elect to speak in preference to any other person registered to speak in support.
- 9.4. A person registered to speak may appoint a different person to speak on their behalf. A person may at any time withdraw their request to speak; however, where such a request is made after the deadline date for receipt of requests then the available slot will not be made available for a different speaker.

- 9.5. The same person may not register to speak both in support and against an application. If such requests are received, the person submitting the request will be invited to elect to speak either in support or against. In the event of a person not making such an election then all the requests by that person will be treated as invalid in relation to that application.
- 9.6. A Parish or Town Council representative who wishes to speak must register as an objector or supporter and will be subject to the same provisions for speaking as any other objector or supporter (as the case may be).
- 9.7. Any ward councillor shall be afforded an opportunity to speak on an application at the Planning Committee meeting at which it is considered. Every ward councillor who wishes to speak will have up to **five** minutes each.
- 9.8. At the discretion of the Chair, any other councillor not sitting as a voting member of the Planning Committee may also be given the right to speak on an item being considered at Planning Committee. Every such councillor will have up to **five** minutes each.
- 9.9. Any member of the Planning Committee who has referred an application to the Committee for decision but who exercises their discretion not to participate and vote on that item as a member of the Planning Committee (whether because they consider they may have a predetermined view or otherwise), may have or be given the right to speak as a ward councillor or otherwise in accordance with the provisions of the Part, but must not participate in any discussion or vote as a member of the Planning Committee. Such a member will normally be invited to leave the room after speaking until consideration of that application has been concluded.
- 9.10. During consideration of a planning application at a Planning Committee meeting no question should be put or comment made to any councillor sitting on the Planning Committee by any applicant, objector or supporter whether as part of a speech or otherwise.

10. Content of speeches and use of supporting documentation

- 10.1. Speaking must be done in the form of an oral statement, which should only refer to planning related issues as these are the only matters the Planning Committee can consider when making decisions on planning applications. Speakers should direct their points to reinforcing or amplifying the planning representations already made to the Council in writing. Guidance on what constitutes planning considerations is included as part of this protocol. Speakers must take care to avoid any statement that might be libellous, slanderous or otherwise abusive to any person or group, including the applicant.
- 10.2. In the interests of fairness, no applicant, objector or supporter will be allowed to produce at a meeting of the Planning Committee information or documentation of any kind (including any photograph or other visual aid), that has not already been submitted as part of a prior representation or submission in relation to the application at a time that pre-dates the publication of the agenda for that Planning Committee meeting. Any person seeking to rely on such information should draw this to the attention of Democratic Services in advance of any reference being made to it.

- 10.3. Anyone who wishes to provide any photograph, illustration or other visual material to be displayed on screen during a representation must submit this to Democratic Services at least **two** clear working days prior to the date of the meeting in a format previously agreed in writing by an officer from the Democratic Services Unit for the purposes of that representation. Electronic information provided after this time or in a format not agreed will not be accepted. The maximum number of items to be displayed must not exceed five. Further, the ability to use any such electronic presentational material is wholly dependent upon the availability and operation of suitable electronic equipment at the time of the Planning Committee meeting and cannot be guaranteed. Every person making a representation should therefore ensure that it is not dependent on such information being displayed.

11. Submission of statement as an alternative to speaking

- 11.1. A councillor or member of the public who has been allocated an opportunity to speak at a meeting of the Planning Committee in relation to an item may as an alternative to attending in person submit a written statement to be read out on their behalf. Any such statement:
- (a) must not exceed 450 words in total;
 - (b) must have been received by the Democratic Services Unit by noon at least **one** clear working day prior to the date of the Planning Committee;
 - (c) when submitted by a member of the public will be treated as amounting to two and a half minutes of the total time allotted for speaking;
 - (d) may so far as circumstances allow be withdrawn at any time prior to the Planning Committee meeting by giving notice to the Democratic Services Unit; however, where such withdrawal occurs after the deadline date for registering a request to speak has passed then an alternative slot will not be made available;
 - (e) may not normally be modified after the deadline date for registering a request to speak has passed unless such modification is requested by an officer from the Democratic Services Unit; and
 - (f) will normally be read out aloud by an officer from the Democratic Services Unit having regard to the order of presentation identified in this protocol.

12. Assessment of information

- 12.1. The Council reserves the right to check any information / documentation provided to it for use at a Planning Committee meeting including any statement and to prevent the use of such information / documentation in whole or part, in particular, if it:
- (a) is considered that it contains information of a kind that might be libellous, slanderous, abusive to any party including an applicant or might result in the disclosure of any personal information for which express consent has not been given; and/or
 - (b) is identified as having anything on it that is considered could be an electronic virus, malware or similar.
- 12.2. The Head of Planning in consultation with the Chair shall have the absolute discretion to determine whether any such information / documentation should

not be used. If circumstances reasonably permit, an officer from the Democratic Services Unit may seek to request a person modify such information / documentation to address any issue identified.

13. Questions to persons speaking

- 13.1. Questions will not normally be asked of any person speaking as a councillor, objector or supporter who is not speaking as a voting member of the Planning Committee in relation to an item. However, the Chair at their absolute discretion may raise points of clarification.

PART B

14. Application of Part B

- 14.1. Where a decision has been taken that Part B of this protocol applies to a meeting of the Planning Committee then subject as provided for in this Part B the provisions below shall apply whether or not the meeting is a wholly virtual meeting.
- 14.2. Unless a meeting of the Planning Committee is a wholly virtual meeting, a meeting of the Planning Committee may, so far as capacity allows, be attended in person 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.
- 14.3. A meeting of the Planning Committee will only be held as a wholly virtual meeting during such time as a decision has been taken by BCP Council that committee meetings of the Council may be held in this way. In the event of there being a discretion as to whether a meeting of the Planning Committee shall be held as a wholly virtual meeting, then the Head of Planning in consultation with the Chair shall be able to determine whether such a discretion should be applied.
- 14.4. In circumstances where it is known in advance of the publication of an agenda of a meeting of the Planning Committee that Part B will apply to that meeting then, so far as reasonably practicable, a note will normally be placed on the agenda identifying this to be the case and explaining if that meeting is to take place as a wholly virtual meeting.
- 14.5. Reference to attendance at a meeting in this Part B can, unless the meeting is a wholly virtual meeting, mean attending in person or virtually. However, unless the meeting is a wholly virtual meeting, where reference is made to a councillor attending a meeting this can mean attending virtually only where the Chair at their discretion considers this appropriate. In that event, facilities will be made available for the virtual attendance and speaking at the meeting of the Planning Committee of such councillor(s).

15. Use of statements

- 15.1. 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. Members of the public attending a meeting will not normally be given the opportunity to speak at the meeting on such matters and no facilities will usually be made available to enable this.
- 15.2. Any person who wishes to provide a written statement to be read out on their behalf at a meeting of the Planning Committee must arrange for this to have been received by Democratic Services by 12 noon at least **one** clear working day prior to the date of the meeting. A person submitting such a statement should:
 - (a) make clear as to the item to which the statement relates;
 - (b) provide contact details including a telephone number and/or email address at which they can be reached; and

- (c) identify whether the statement is in support of or opposed to the application.
- 15.3. A maximum of two statements from members of the public objecting to an application will be considered by the Planning Committee and a maximum of two statements from supporter(s) (a statement from the applicant and any agent for the applicant will each count as a separate statement in support). Each statement may consist of up to 450 words.
- 15.4. Statements will be accepted on a first come, first served basis. Statements will not normally be accepted once the limit has been reached. However, in the event of an applicant and / or the agent of an applicant wishing to submit a statement in support of an application such person(s) will be given the option for their statement(s) to be read out in preference to any other statement submitted by a person in support. Applicant(s) / supporter(s) and objectors with similar views are encouraged to co-ordinate in advance in the production of statements.
- 15.5. So far as circumstances allow, a person may at any time prior to the Planning Committee meeting seek to withdraw a statement by giving notice to the Democratic Services Unit; however, where such withdrawal occurs after the deadline date for receipt of statements then the available slot will not be made available for a different statement.
- 15.6. A person shall not normally be able to modify a statement after the deadline date for submission of statements has passed unless such modification is requested by an officer from the Democratic Services Unit.
- 15.7. The same person may not submit more than one statement. If more than one statement is received, the person submitting the statement will be invited to elect which statement should be read out. In the event of a person not making such an election then all the statements by that person will be treated as invalid in relation to that application.
- 15.8. A Parish or Town Council representative who wishes to submit a statement must identify whether their statement is being made as an objector or supporter and will be subject to the same provisions for statements as any other objector or supporter.
- 15.9. Statements relating to a planning application will be read aloud by an officer from the Democratic Services Unit. Statements will be read out having regard to the order of presentation identified in this protocol.
- 15.10. Any ward councillor will also be given the opportunity to attend and speak at the meeting on an application at the Planning Committee meeting at which it is considered.
- 15.11. At the discretion of the Chair any other councillor not sitting as a voting member of the Planning Committee may also be given the right to attend and speak on an item being considered at Planning Committee.
- 15.12. Any councillor who virtually attends to speak on an application at a meeting of the Planning Committee and who is not a voting member of the Planning Committee in relation to that item should also submit a written version of what

they intend to say to Democratic Services at least **one** clear working day prior to the date of the meeting. Statements may consist of up to 900 words. In the event of a 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. Accordingly, the inability of a councillor to actually speak at the meeting will not prevent an item being determined.

- 15.13. Any member of the Planning Committee who has referred an application to the Committee for decision but who exercises their discretion not to participate and vote on that item as a member of the Planning Committee (whether because they consider they may have a predetermined view or otherwise), may speak as a ward councillor or otherwise in accordance with the provisions of this Part, but must not participate in any discussion or vote as a member of the Committee.

16. Content of statements and use of supporting documentation

- 16.1. Every written statement that is submitted by any person in accordance with this Part of the protocol should refer to planning related issues as these are the only matters the Committee can consider when making decisions on planning applications.
- 16.2. Statements should be directed towards reinforcing or amplifying the planning representations already made to the Council in writing. Guidance on what constitutes planning considerations is included as part of this protocol.
- 16.3. In the interests of fairness, no documentation of any kind will be allowed to be presented at the time that a statement is being read out (including any photograph or other visual aid), that has not already been submitted as part of a prior representation or submission in relation to the application at a time that pre-dates the publication of the agenda for that Planning Committee meeting.
- 16.4. Anyone submitting a written statement who wishes to provide any photograph, illustration or other visual material to be displayed on screen while their statement is being read aloud must submit this to the Democratic Services Unit at least **two** clear working days prior to the date of the meeting in a format previously agreed in writing by an officer from the Democratic Services Unit for the purposes of that statement. Information provided after this time or in a format not agreed will not be accepted. The maximum number of items that may be displayed is five. Further, the ability to have any such presentational material displayed is wholly dependent upon the availability and operation of suitable electronic equipment at the time of the Planning Committee meeting and cannot be guaranteed. Anyone submitting a statement should therefore ensure that their statement is not dependent on such information being shown.
- 16.5. The Council reserves the right to check any information /documentation provided to it for use at a Planning Committee meeting including any statement and to prevent the use of such information / documentation in whole or part, in particular, if it:
- (a) is considered to contain information of a kind that might be libellous, slanderous, abusive to any party (including an applicant) or might result in the disclosure of any personal information for which express consent has not been given; and/or

- (b) is identified as having anything on it that is considered could be an electronic virus, malware or similar.
- 16.6. The Head of Planning in consultation with the Chair shall have the absolute discretion to determine whether the whole or any part of any such information / documentation should not be used. If circumstances reasonably permit, an officer from the Democratic Services Unit may seek to request a person modify the information / documentation to address any issue identified.

For use by the Planning Committee as from 11.1.22



Planning Committee

Application Address	8 Glenmount Drive, Poole, BH14 0HL
Proposal	Demolition of the existing dwelling and the erection of 1 pair of semi-detached dwellings and 1 detached house.
Application Number	APP/22/00240/P
Applicant	Mr S Harris
Agent	Darryl Howells Planning Consultancy
Ward and Ward Member(s)	Parkstone- Councillor Steve Baron & Councillor Ann Stribley
Report status	Public Report
Meeting date	20 th October 2022
Summary of Recommendation	Grant subject to conditions and the Head of Planning (or any other officer exercising management responsibilities within the Planning Unit) in their opinion being satisfied that arrangements are in place as are necessary to appropriately address any adverse effect on the integrity of any relevant protected European sites associated with the recent identified concerns relating to phosphorous together with delegated power to agree those arrangements.
Reason for Referral to Planning Committee	<p>Referral by Cllr Baron for the following reasons:-</p> <ul style="list-style-type: none"> - Residents' concerns over the loss of a prominent T.P.O protected Tree (T16). - Residents consider that the tree contributes significantly to the amenity of the area and also contributes to the environment. - Residents are concerned that T16 is only described as being less than 10 years old in the Arb report. - Residents do not agree that the damage to the wall of number 8 are due to tree roots, but lack of drainage in soil that has springs.

	<p>- PP33: "Removal or damage of features of nature conservation/biodiversity interest will only be acceptable in exceptional circumstances"</p> <p>- PP28 Plot severance: "Residential proposals involving plot severances or plot sub-divisions will only be permitted where there is sufficient land to enable a type, scale and layout of development including parking and usable amenity space to be accommodated in a manner which would preserve or enhance the area's residential character."</p>
Case Officer	Sophie Burch

Executive Summary

1.

The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Representations received

10 objections were received on behalf of 7 individual addresses objecting to the proposal. One response in support has been received. A summary of the objections have been provided within the consultation section of the report.

Principle of Development

This is an outline application and seeks approval for access, layout and scale at the outline stage. Appearance and landscaping are reserved matters.

In terms of meeting housing needs, a strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations. Policy PP2 identifies the amount and broad locations of development and states that the majority of new housing will be directed to the most accessible locations within Poole, these being the town centre, district and local centres and locations close to the sustainable transport corridors.

The application site is within an identified sustainable transport corridor. As such, the principle of residential development on this site is acceptable, subject to its compliance with the relevant adopted policies of the Poole Local Plan.

Impact on Character and Appearance of Area

With regards to the proposed layout, given the mix in plot sizes and building density along Glenmount Drive, the proposed plot severance and increased site coverage would not appear at odds with surrounding development. It is noted that this scheme is a resubmission from a recently refused scheme at the site, which sought permission for two pairs of semi-detached dwellings. This scheme provides more

spacious resultant plot sizes, and less overall site coverage, minimising the impact of the development on the street scene.

With regards to scale, the height is similar to that approved at No.2 Glenmount Drive (APP/18/01490/F), which granted permission for the construction of four dwellings, and at the neighbouring site, No.10 Glenmount Drive (APP/19/01190/F) for a four storey block of 8 flats with undercroft parking.

The scheme proposes the removal of a large beech tree to the front of the site. Although this offers good visual amenity, the Council's Arboricultural Officer has concluded that this tree is unsuitable for long term retention due to damage sustained to a retaining wall to the front of the site. As such, its loss is considered acceptable. Landscaping and design are not for consideration at this outline stage, however indicative landscaping plans illustrate additional planting along the eastern boundary which could be secured to mitigate the loss of this tree.

This proposal would work well with the constraints of the site including land topography creating a proposal which sits comfortably within the site whilst remaining considerate to the surrounding character by virtue of appropriate height and building form. The proposal also allows for an appropriate increase in density which would contribute an additional 2 dwellings to the housing need in a sustainable location in Poole that adds further weight.

Impact on Residential Amenity

Due to the site's orientation, the proposal is unlikely to result in any unacceptable loss of light or overshadowing to neighbouring dwellings. With regards to overlooking, elevations show the indicative location of windows and given sufficient separation distances to the rear, it is unlikely that any windows on this elevation would result in unacceptable overlooking. There is sufficient information at the outline stage to show that a scheme can be designed to preserve neighbouring privacy at the Reserved Matters stage.. Glazing and terraces to the front elevation are unlikely to result in any unacceptable overlooking as they will face onto the highway with views of areas already within public view

The layout and plot sizes are considered sufficient to be able to provide adequate living conditions for the proposed occupiers.

Transport considerations

The existing access will be utilised by units 2 and 3, albeit widened. A new vehicle access is proposed for unit 1. An integral garage is proposed for each dwelling, as well as two parking spaces on the driveway. BCP Highways Team have been consulted on the proposal and have no objection subject to the attachment of a condition to ensure EVC points.

Impact on Trees

The site is covered by a Tree Preservation Order (2/98) which is shown to protect four trees over the site, some of which are no longer in situ. The proposal requires

the removal of several trees, with the majority being category C or U. As such their loss is considered acceptable by the Council's Arboricultural Officer. As mentioned, a large beech tree is proposed for removal however a structural engineers report has been submitted, outlining current conflict and damage issues with a retaining wall located in the root protection area. The Council's Arboriculture Officer has concluded that this tree is unsuitable for long term retention and as such its loss is acceptable.

Sustainability Considerations

The proposal is capable of delivering an energy efficient and sustainable development in accordance with the requirements of the latest Building Regulations and the requirements of Policy PP37 of the Poole Local Plan (2018). This can be secured by condition.

SAMM/CIL Compliance

The applicant has paid the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM. As such, the proposal complies with the provisions of Policies PP32 and PP39 of the Poole Local Plan (2018).

Planning Report

Description of Proposal

1. The proposal seeks outline planning permission for the demolition of the existing dwelling and the erection of one pair of semi-detached dwellings and one detached house. . This outline application seeks approval for the following detailed matters:
 - Access
 - Layout
 - Scale
2. The proposal indicates three 4-storey dwellings, each with an integral garage on the ground floor. One unit will be detached whilst the other two units will be semi-detached. The frontage position of the indicative dwellings will sit partially forward of the existing dwelling, with an overall increase in site coverage.
3. Unit 1 indicates four bedrooms and measures approximately 176 square metres. Units 2 and 3 also indicate four bedrooms, each measuring approximately 160 square metres. Each dwelling will benefit from an integral garage, with two parking spaces also provided to the frontage.
4. Appearance and landscaping are not for detailed consideration under this application but are reserved for later approval should this outline application be approved.

5. Indicative elevations and a landscaping layout have been provided to indicate how such matters may be dealt with in a subsequent application.

Description of Site and Surroundings

6. The application site relates to an existing dwelling on the northern side of Glenmount Drive. This is a residential street which is a lengthy cul-de-sac, accessed from Ashley Road to the north. The existing dwelling is three storey (split level), with a pitched roof but appears as 2-storey from the rear. Materials include red facing brick and white uPVC. The site slopes steeply upwards from Glenmount Drive. The existing dwelling benefits from an integral garage with parking also to the frontage.
7. Surrounding development is residential and comprises of a mix of detached and semi-detached dwellings of varied appearance. Over the last number of years, a number of plots have been severed. Flatted development is also apparent within the surrounding area.

Relevant Planning History

8. APP/21/01201/P- 8 Glenmount Drive- Demolition of existing dwelling and the erection of 2 no. pairs of semi-detached dwellings. **REFUSED** for the below reasons:
 - The proposal, by virtue of its scale, width, plot sizes and layout of development would result in a harmfully dominant development which would appear cramped within the streetscene. The proposal would fail to assemble sufficient land to preserve the prevailing pattern of development in the surrounding area.
 - Refusal reasons relating to failure to make SAMM payments.
9. APP/19/01190/F- 10 Glenmount Drive- Demolition of existing dwelling and construction of 8 flats and under croft parking- **APPROVED**.
10. APP/18/01490/F- 2 Glenmount Drive- Demolition of existing dwelling and construction of 4 new dwellings, arranged as 2 pairs of semi-detached houses with integral garages- **APPROVED**.

Constraints

Tree Protection Order (2/98)

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 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.
14. Regard is also given to the Self Build and Custom Housing Act 2015. There remains demand for such housing on the Council's statutory register and the housing in this case is capable of being delivered as self-build housing at the point they are brought to market.

Consultations

15. BCP Waste Team- No objection.
16. Council's Arboriculture Officer- Grant with conditions.
17. BCP Highways Authority- No objection, subject to attachment of conditions.

Representations

18. In addition to letters from neighbouring properties a site notice was posted outside the site on 5th April 2022 with an expiry date of 29th April 2022.
19. 10 letters of objection from 7 addresses have been received. The objection comments are summarised below;
- Not enough space
 - Too much pressure on neighbouring dwellings
 - Issues with parking due to previous approvals at other site

- Trees to be felled
- Out of keeping with street scene
- Visually adverse impact
- Request for traffic survey
- Beech tree to front of site is healthy
- Concern over support from Society for Poole
- Trees shield view of flats
- Builders on site
- Boundary disputes- as such application may be invalid.

20. One response in support of the scheme has been received.

Key Issue(s)

21. The key issue(s) involved with this proposal are:

- Principle of development and housing need
- Impact on character and appearance of area
- Impact on residential and neighbouring amenities
- Impact on highways and parking
- Impact on TPO's
- Biodiversity
- Sustainability
- Other Matters
- Infrastructure and developer contributions

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

Policy Context

23. Local documents:

Poole Local Plan (Adopted November 2018)

PP01	Presumption in favour of sustainable development
PP02	Amount and Broad Location of Development
PP08	Type and mix of housing
PP27	Design
PP28	Flats and Plot Severance
PP33	Biodiversity and Geodiversity
PP34	Transport strategy
PP35	A Safe, Connected and Accessible Transport Network
PP37	Building Sustainable Homes and Businesses
PP38	Managing Flood Risk
PP39	Delivering Poole's Infrastructure

Supplementary Planning Documents

BCP Parking Standards SPD (adopted January 2021)
The Dorset Heathlands Planning Framework 2020-2025 SPD (Adopted March 2020)
Nitrogen Reduction in Poole Harbour SPD (adopted February 2017)
Poole Harbour Recreation 2019-2024 SPD (adopted February 2020)
Dorset Heathlands Interim Air Quality Strategy 2020-2025 (adopted February 2021)

National Planning Policy Framework (2021)

The following sections of the NPPF are in particular considered to be of relevance:

Section 2 – Achieving Sustainable Development

Paragraph 8

New development to meet sustainable development principles and 3 over-arching social, economic and environmental objectives

Paragraph 11

“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”.

In addition, the following sections of the NPPF are also relevant to this proposal:

- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 6 Building a strong competitive economy
- 11 Making effective use of land
- 12 Achieving well designed places
- 14 Meeting the challenge of climate change/flooding
- 15 Conserving & enhancing the natural environment

Planning Assessment

Principle of development

24. The Poole Local Plan sets out a spatial planning framework to meet objectively assessed needs to 2033. In accordance with Policy PP01, the Council will take a positive approach when considering development proposals that reflects the presumption in favour of sustainable development contained in the NPPF.
25. In terms of meeting housing needs, a strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations. Policy PP2 identifies the amount and broad locations of development and states that the majority of new housing will be directed to the most accessible locations within Poole, these being the town centre, district and local centres and locations close to the sustainable transport corridors. The intention of this policy is that within these areas the majority of higher density development will place a greater number of people within close walking distance of public transport and a range of services/facilities as a convenient alternative to use of the car.
26. This approach is reinforced by Policy PP34 which also states that new development will be directed to the most accessible locations which are capable of meeting a range of local needs and will help to reduce the need for travel, reduce emissions and benefit air quality, whilst PP35 also states that proposals for new development will be required to maximise the use of sustainable forms of travel. Significant weight therefore has been applied to the provision of additional residential accommodation which meets these policy objectives.
27. The application site is within the area identified as a sustainable transport corridor in the Local Plan. As such, the principle of residential development on this site is acceptable, subject to its compliance with the relevant adopted policies.

Housing need

28. At the heart of the NPPF (as set out in paragraph 11) is the presumption in favour of sustainable development, reiterated in Policy PP01 of the Poole Local Plan.
29. NPPF Paragraph 11 states that in the case of decision making, the presumption in favour of sustainable development means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposals or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

30. Footnote 8 of paragraph 11 provides that in the case of applications involving the provision of housing, relevant policies are out of date if the local planning authority is (i) unable to demonstrate a five-year supply of deliverable housing sites or (ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.
31. The 5-year housing supply and HDT results continue to be applied to each local plan area separately until replaced by a BCP Local Plan. In the Poole area there is a 4.1 year housing land supply with a 20% buffer (a shortfall of 423 homes) and a 2021 HDT result of 78%. For the purposes of paragraph 11 of the NPPF, the tilted balance is therefore potentially engaged. However, the site is also within an area where the cumulative impacts of increased residential has the potential to adversely impact on habitats sites. In a situation where this impact cannot be acceptably mitigated, then following the guidance in Footnote #7, the tilted balance may not apply. This will be explored below. For this planning application the benefits provided from the supply of new homes are considered to carry significant weight in the planning balance.

Impact on character and appearance of area

32. Policies PP27 and PP28 set out the criteria against which all new development should be assessed to ensure that the established pattern of development and residential character of the area is preserved or enhanced.
33. Policy PP27(1) states that good standard of design is required in all new development and development will be permitted provided that, where relevant, it:
 - a) reflects or enhances local patterns of development and neighbouring buildings in terms of:
 - layout and siting, including building line and built site coverage;
 - height and scale;
 - bulk and massing, including that of the roof;
 - materials and detailing;
 - landscaping; and
 - visual impact.
34. Policy PP28 of the Poole Local Plan states that plot severances will be permitted only where there is sufficient land to enable a type, scale and layout of development including parking and usable amenity space to be accommodated in a manner which would preserve or enhance the area's residential character.
35. The proposal will sever the site to create three smaller plots, these will measure between approximately 7.7 metres and 11 metres in width to the front. They will widen towards to rear of the site. Although the resultant plot sizes are evidently smaller than the existing site, given the recently approved scheme at No.2 Glenmount Drive which approved four dwellings on the site of

one dwelling and the approved scheme at No.10 Glenmount Drive, which allowed 8 flats, it is considered that there is now a lack of uniformity in plot size and housing density within the area. As such, the resultant plot sizes and increased density is considered acceptable and makes effective and efficient use of this urban site. It is also noted that this scheme follows the refusal of four dwellings on the site. The proposed reduction in the number of units will ensure more spacious sites that are reflective of surrounding development. This will also minimise the overall impact on the character and appearance, in comparison to this refused scheme.

36. The proposed dwellings would project marginally further forward in the frontage position and extend out further to the rear and sides of the site. However, it is considered that the site can readily accommodate this increased site coverage, with generous sized gardens provided to the rear.
37. The overall indicative height is similar to that approved at 2 Glenmount Drive (APP/18/01490/F), No.10 Glenmount Drive (APP/19/01190/F). The site slopes up steeply from Glenmount Drive, which somewhat exacerbates the perceived increase in height. However, this is common along this side of Glenmount Drive, with both No.8 and No.6 siting above the highway. As such, it is considered that the increase in height would not appear at odds with surrounding development. A condition will be attached to ensure the height/scale is limited to four storeys.
38. As mentioned, a large beech tree is proposed for removal to the front. This tree does contribute to the visual amenity of the area, however a structural engineering report has been submitted outlining the damage caused to a retaining wall as a result of the tree. As such, the Council's Arboricultural Officer has concluded that this tree is unsuitable for long term retention and its loss is accepted. Landscaping is not for consideration under this application however an indicative landscaping plan illustrates how additional tree planting could be used to mitigate the loss of this tree. A condition is proposed to ensure that the reserved matters includes suitable provisions for replacement trees to mitigate the loss the frontage beech tree.
39. Appearance is also not for consideration under this application. Indicative elevations have been provided showing a flat roofed contemporary appearance, with modern materials including cladding. Given the approval at No.10 Glenmount Drive, there is no objection to these however final details will be agreed at reserved matters stage.
40. Paragraph 130 of the NPPF (2021) states that the local planning authority should ensure that developments are 'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'. This proposal would work well with the constraints of the site including land topography creating a proposal which sits comfortably within the site whilst remaining considerate to the surrounding character by virtue of appropriate height and building form. The proposal allows for an appropriate increase in density which would contribute an additional 2 dwellings to the housing need

in a sustainable location in Poole and this has been given significant weight in view of the housing land supply and Housing Delivery Test positions.

Impact on residential and neighbouring amenities

41. Policy PP27 of the Poole Local Plan states that development will be permitted where it is compatible with surrounding uses and would not result in a harmful impact on amenity for local residents and future occupiers in terms of sunlight, daylight, privacy, noise and whether it would be overbearing/oppressive; and provides satisfactory external and internal amenity space for existing and future occupants.
42. The NPPF states that planning decisions should provide attractive, welcoming and distinctive places to live and visit; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (para.130).
43. With regards to neighbouring amenity, given the separation distances to neighbouring dwellings, the proposal is unlikely to appear overbearing or oppressive. In relation to overshadowing and loss of light, it should be noted that No.6 Glenmont Drive is significantly elevated above the highway, reducing the likelihood of any unacceptable levels of overshadowing as a result of the proposal. Given the orientation of the site, the proposal is unlikely to result in any overshadowing to the scheme at No.10 Glenmount Drive. Given sufficient separation distances, any overshadowing to No.3A Glenmount Drive, or the site to the rear is unlikely.
44. With regards to overlooking, elevations show the indicative location of windows however the final design of the dwellings and location of windows will be determined at the reserved matters stage. The Local Planning Authority will have control at the reserved matters stage to ensure that any glazing on side elevations does not cause harmful overlooking into adjacent sites. It is considered that the final design will be able to achieve this based on review of the indicative information provided in this outline application. Given the separation distances and orientation of the flat blocks to the north of the site, it is unlikely that any windows on the rear elevations would result in unacceptable overlooking. Glazing and terraces to the front elevation are unlikely to result in any unacceptable overlooking as they will face onto the highway with views of areas already within public view.
45. The layout and plot sizes are considered sufficient to be able to provide adequate living conditions for the proposed occupiers. This also ensures that the proposed plot severance will be able to accommodate a suitable development as per the requirement of Policy PP28.
46. The impact on the residential amenities of the surrounding properties has been carefully considered and the representations referring to these issues are recognised and acknowledged. However, it is considered that the scheme is acceptable and compliant with Policy PP27 of the Poole Local Plan 2018.

Impact on highways and parking

47. The existing vehicle access will be utilised by units 2 and 3, albeit widened, and a new access is proposed for unit 1.
48. The site is located within Parking Zone B as set out in the Parking Standards SPD. For the size of the dwellings this equates to one parking space along with cycle parking provision. The proposal provides 2 spaces alongside an integral garage for each dwelling. The proposed garages would be considered acceptable in providing the cycle parking provision.
49. The Parking Standards SPD outlines requirements for electric vehicle charging in new development. At least one active charging point would be required for each new dwelling. These could be ensured through a planning condition.
50. BCP Highways Authority have raised no objection to the scheme. The net increase of two dwellings and the associated vehicle movements are considered compatible with safety and capacity on the local highway network. It is considered the scheme complies with Policies PP34 and 35 of the Poole Local Plan and the Parking SPD.

Impact on Trees

51. Policy PP27 of the Poole Local Plan 2018 outlines how development will be permitted provide that it responds to natural features on the site and does not result in the loss of trees that make a significant contribution to the character and local climate of the area.
52. The site is affected by a tree preservation order (2/98) which is shown to protect four trees, some of which are no longer in situ. The proposal will require the removal of several trees across the site, with the majority being category C or U, with the Council's Arboricultural Officer concluding that these trees are low quality unremarkable trees with very limited merit. As such, it is considered that these trees have little importance in the wider landscape and it is not considered appropriate to enforce their retention and their loss is accepted.
53. The proposal will however require the removal of T16, a large beech tree to the front of the site. This tree offers good visual amenity. A structural engineers report has however been submitted in support of the application (22351-SER, dated 30/05/2022). The report details current conflict and damage issues with the retaining wall structure located within the root protection area of the tree.
54. The Council's Arboricultural Officer has reviewed this report and are of the view that on the balance of probabilities the tree is likely to be a contributing factor to the damage sustained. The tree is therefore unsuitable for long term retention and it will become too large for its position in time.
55. As such, the Arboricultural Officer has no objection to the removal of this tree. It is also stated in their response that any separate tree works application

received for the removal of this tree, alongside the structural engineers report, would have a good prospect of success. A condition is proposed to ensure that the submitted tree protection method statement is followed to ensure the protection of the trees to be retained. A condition is also proposed to secure suitable replacement trees are provided as part of the reserved matters for landscaping of the scheme. With these safeguards, it is considered that the proposal is in accordance with PP27 of the Poole Local Plan 2018 in this aspect.

56. Landscaping will be assessed at reserved matters stage. The applicant has however submitted an indicative landscaping plan illustrating how replacement planting may be used. Any future application should include planting along the eastern boundary to mitigate the loss of T16 and provide additional screening to No.6 Glenmount Drive. This will be secured by conditions to an outline approval.

Biodiversity

57. Regarding biodiversity, a negative bat certificate was submitted for a previous application which similarly proposed the demolition of the existing dwelling (APP/21/0201/P). The certificate is dated 9th August 2021 and is valid for two years. As such, it is valid at present. The Council has declared a climate emergency and the NPPF under part 15 emphasises the importance for new development to take the opportunity to reinforce biodiversity by providing measures within development. Appropriate potential measures include bird and bat boxes, bricks and insect tubes & aquatic habitats which will be ensured by condition. As such, the proposed scheme would contribute to the enhancement of the existing biodiversity in the area and would comply with Policy PP33 of the Poole Local Plan and the provisions of the NPPF.

Surface water drainage

58. The site is not identified as being at risk from surface water flooding and is not within a flood zone. It is recognised that the scheme will introduce an increased level of hard surfacing across the site. The application form states that soakaways will be used for surface water drainage which could be acceptable; however, there is minimal information on this aspect. Therefore, to ensure there is adequate surface water drainage infrastructure on the site it is considered reasonable to condition further details to be submitted. This will ensure the scheme is compliant with Policy PP38 of the Poole Local Plan 2018 which seeks to ensure post-development surface water run-off does not exceed pre-development levels.

Sustainability

59. Being a new build development, it would be readily possible to deliver an energy efficient and sustainable development in accordance with the requirements of the latest Building Regulations. It is appropriate and reasonable to impose a condition to secure details of the measures that are to be implemented to achieve 10% of the energy needs of the proposed

dwellings through renewable energy sources, in accordance with Policy PP37 of the Poole Local Plan.

Other Matters

60. It is noted that an objection makes reference to the site boundary with No.6 Glenmount Drive, stating that the application includes part of their land within the red line. Title deeds have been submitted by the applicant illustrating that all land shown within the red line plan is within their ownership. Title deeds have been requested from the owner of No.6 Glenmount Drive but these have not been forthcoming.

Infrastructure and developer contributions

61. Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council in February 2019. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.
62. The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution is required from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.
63. In addition, the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their recreational impact upon the Poole Harbour SPA and Ramsar site. A contribution is required from all qualifying residential development in Poole to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Poole Harbour. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.
64. The applicant has paid the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM. As such, the proposed scheme complies with Policies PP32 and PP39 of the Poole Local Plan.
65. Recently Natural England have identified a possible issue with regard to phosphorous and its potential impact on Poole Harbour. The Government have indicated an intention to resolve any such issues through legislation. In the meantime it is expected that the approach to nitrogen mitigation will also be appropriate to phosphorous as required. Further work is currently underway to clarify this and it is proposed in this report that this issue will need to be confirmed before a decision notice to approve is issued. An

appropriate delegation is proposed in the recommendation to address this issue.

66.

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	0	N/A	N/A
	Proposed	0		
	Net increase	0	N/A	N/A
Houses	Existing	1	@ £856	@ £584
	Proposed	3		
	Net increase	2	£856	£584
Total Contributions			£856 plus admin fee	£584 plus admin fee
CIL	Zone C		@ £120.06 PER SQM	

Planning Balance/Conclusion

67. The Council encourages sustainable development. This seeks to strike a balance between the economic benefit of the development, the environmental impacts and the social benefits derived by the creation of much needed housing. The proposal would provide for 3 dwellings, a net increase of 2 homes within a sustainable area. It is considered that the principle of three properties on this plot is acceptable and the layout, scale and access arrangements are compliant with Local Plan policies. The potential impacts on the living conditions of neighbouring residents have been carefully considered but it is considered that the site could accommodate 3 properties in the layout and scale as set out without compromising their living conditions in terms of light, privacy and a dominant built form.
68. Given the shortfall of the number of homes delivered in the Local Plan area and as the scheme provides acceptable mitigation for its impacts on habitats sites, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal. The tilted balance is relevant

because the report does not identify any relevant policies in the NPPF to provide a clear reason for refusal.

69. Having recognised the collective benefits of the proposed scheme and the tilted balance approach, it is concluded that the scheme would achieve the economic, social and environmental objectives of sustainable development, in line with the adopted local policies and the provisions of the NPPF.
70. The scheme is therefore recommended for approval.

Recommendation

71. It is therefore recommended that this application be Granted subject to the following conditions and the Head of Planning (or any other officer exercising management responsibilities within the Planning Unit) in their opinion being satisfied that arrangements are in place as are necessary to appropriately address any adverse effect on the integrity of any relevant protected European sites associated with the recent identified concerns relating to phosphorous together with delegated power to agree those arrangements.

Conditions

- 1) Prior to the commencement of any part of the development hereby permitted details of appearance and landscaping (“hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority.
- (a) Application for approval of the reserved matters shall be made to the local planning authority not later than the expiration of three years beginning with the date of this permission.
- (b) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved

Reason -

This condition is required to be imposed by the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004

- 2) Pursuant to discharging conditions the outline matters approved (access, layout and scale) shall be carried out in accordance with the following approved plans:

Site Plan, Drg No. 1664-00-XX-DR-A-0201 P05

Reason -

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

- 3) As part of the Reserved Matters for Appearance and Landscaping to be submitted under condition 1 above, the approved dwellings shall be of no more than 4-storey construction.

Reason-

To protect the residential amenities of neighbouring properties and to protect the visual amenities of the locality.

4) None of the residential units hereby permitted shall occupied until the access, turning space, garaging,/vehicle parking and cycle parking shown on the approved plan have been constructed, and these shall thereafter be retained and kept available for those purposes at all times.

Reason –

In the interests of highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

5) No part of the development hereby permitted shall be constructed above base course level until details of the provision of Electric Vehicle Charging Points and associated infrastructure have been submitted to, and approved in writing by, the Local Planning Authority. Those details shall be in accordance with the BCP Council Parking Standards SPD (adopted 5th January 2021). The approved details shall be implemented and brought into operation prior to the occupation of any residential unit hereby approved. Thereafter, the Electric Vehicle Charging Points shall be permanently retained and kept available for use at all times.

Reason-

In the interests of promoting sustainable development including sustainable forms of transport in accordance with Policy PP35 of the Poole Local Plan (November 2018).

6) All works relating to the ground clearance, tree works, demolition and development with implications for trees shall be carried out as specified in the approved arboricultural method statement (Ref: SW2) and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.

Reason -

To prevent trees on site from being damaged during construction works and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

7) As part of the Reserved Matters for Landscaping, details of all proposed tree planting (including species and size) together with a timetable for such planting in association with any other proposed landscaping shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with those details. If within a period of five years from the date of planting any tree, that tree, or any tree planted in replacement of it, is removed, uprooted, destroyed or dies or in the opinion of the local planning authority becomes seriously damaged or defective, another tree of the same species and size as that originally provided shall be planted in the same place within the first planting season following the removal, uprooting, destruction, other damage or death of the tree unless the local planning authority gives its written consent to a variation of the size, species or location of planting.

REASON: To ensure as a matter of principle that suitable replacement trees are provided on site in the interests of preserving the character of the area in accordance with Policy PP27 of the Poole Local Plan

8) As part of the Reserved Matters for Appearance and Landscaping to be submitted under condition 1 above, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved Plan and implemented prior to first occupation of the dwellings hereby approved.

Reason-

To ensure biodiversity net gain is achieved on site.

9) Prior to commencement of development details of drainage to serve the development shall be submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall be occupied until the drainage details approved been completed.

Reason –

To ensure there is adequate provision of drainage facilities and in accordance with Policy PP38 of the Poole Local Plan (November 2018).

10) Prior to first occupation of any part of the development hereby permitted, details of measures to provide 10% of the predicted future energy use of the approved flats from on-site renewable sources, shall be submitted to, and approved in writing by, the Local Planning Authority. These measures must then be implemented before any residential occupation is brought into use and maintained thereafter. Documents required by the Local Authority include:

The 'as built' SAP assessment documents. These should be the same documents issued to Building Control to address the Building Regulations Part L;

The corresponding EPC (Energy Performance Certificate); and

A statement, summary or covering letter outlining how the data given in the above documents demonstrates that a minimum of 10% of energy use is provided by the renewable technology.

Reason: In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply, and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

11) All ground hard surfaces shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The hard surface shall thereafter be retained as such.

Reason-

In the interests of delivering development which does not result in unacceptable levels of run-off and in accordance with Policy PP38 of the Poole Local Plan (November 2018).

Informatives

1) In accordance with the provisions of paragraph 38 of the NPPF the Borough of Poole (BoP) takes a positive and creative approach to development proposals focused on solutions. BoP 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 (add as appropriate): in this case the applicant was advised of issues after the initial site visit

- in this case the application was acceptable as submitted and no modification or further assistance was required.

- the application was considered and approved without delay.

2) Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations

The proposed development referred to in this Planning Permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (amended).

In accordance with CIL Regulation 65, the Local Planning Authority (LPA) will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which this Planning Permission first permits development. The Liability Notice will confirm the chargeable amount for the chargeable development referred to in this Planning Permission and will be calculated by the LPA in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted charging Schedule. Please note that the chargeable amount payable in respect of the chargeable development referred to in this planning permission is a local land charge.

Please be aware that failure to submit a Commencement Notice and pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this Planning Permission will result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including assuming liability, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the website:

<https://www.bcpccouncil.gov.uk/Planning-and-building-control/Planning-policy/Community-Infrastructure-Levy/Community-Infrastructure-Levy.aspx>

3) The necessary contributions towards SAMM arising from the proposed development have been secured by a S.111 Agreement and have been received.

4) This application is subject to a project level Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2017, concluding that the likely significant effects arising from the development can be

mitigated and have been mitigated ensuring there would not be an adverse effect on the identified designated sites of Nature Conservation Interest.

5) This planning permission does not convey the right to enter land or to carry out works affecting or crossing the boundary with land which is not within your control without your neighbour's consent. This is, however, a civil matter and this planning consent is granted without prejudice to this.

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.

Case Officer Report Completed

Officer: Sophie Burch

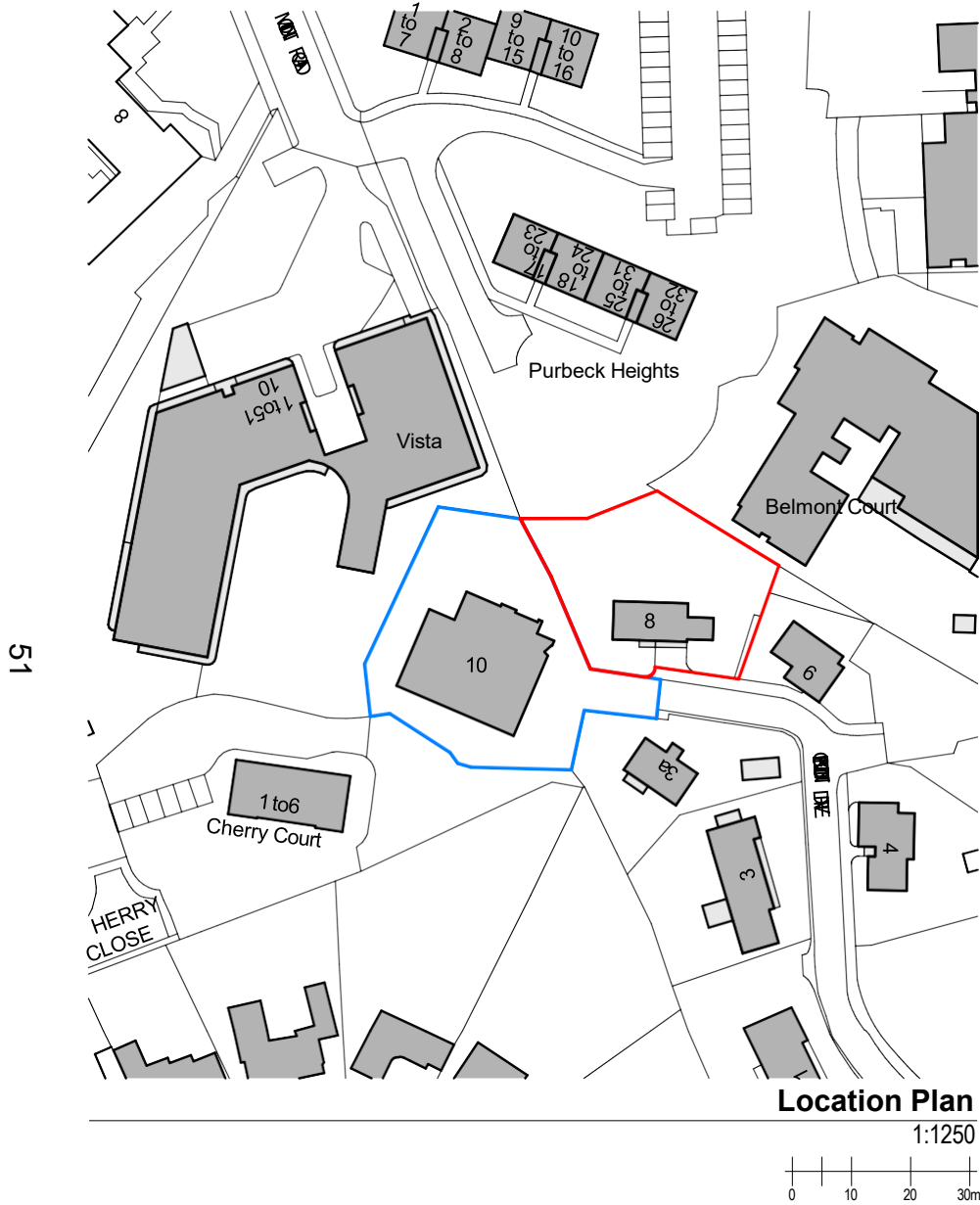
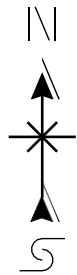
Date:27/09/2022

Agreed by:

Date:

Comment:

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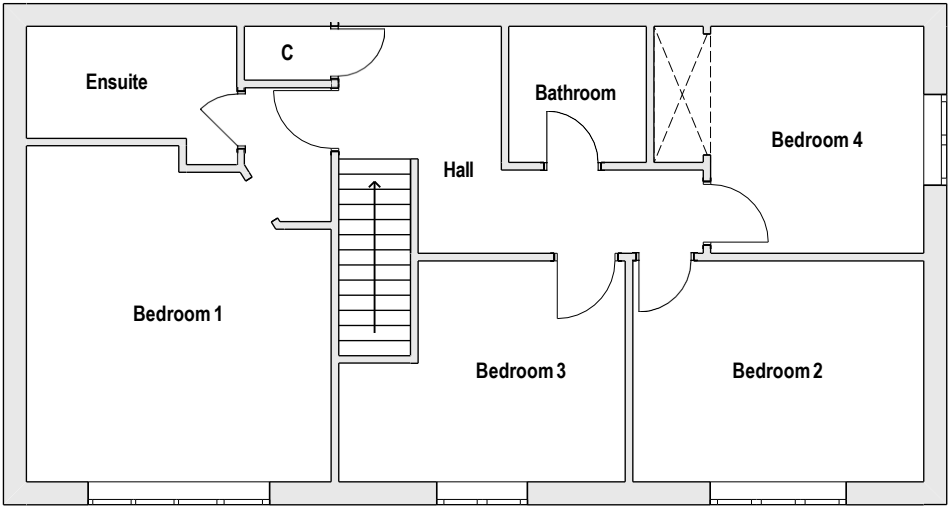


P04	16/03/2022	IW	Development updated to comments.
P03	29/07/2021	IW	Issue for Outline Planning Application.
P02	27/07/2021	IW	Rear of Plots 3&4 revised to accommodate tree.
P01	27/07/2021	IW	Initial Issue
Rev	Date	By	Description

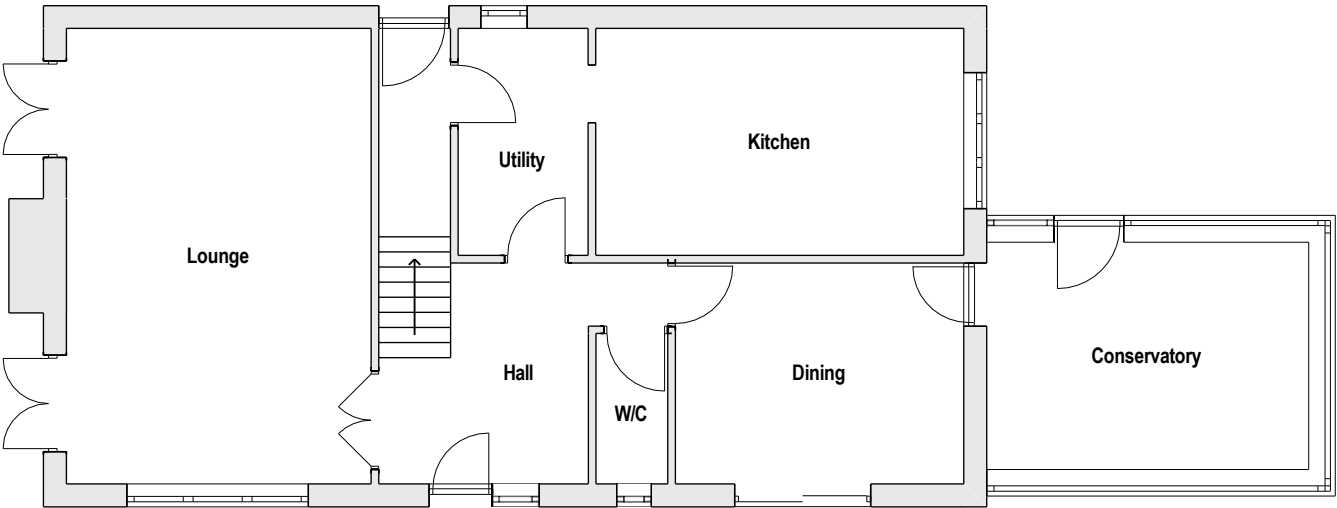
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First Floor
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Ground Floor
1:100

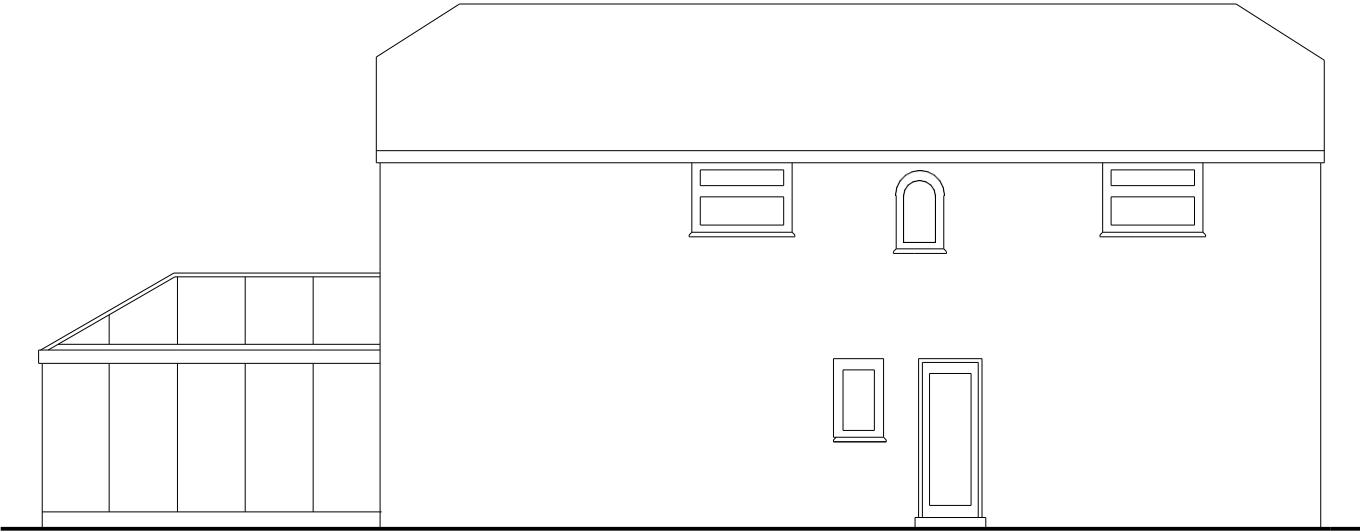
P01	26/08/2021	JE	Initial Issue
Rev	Date	By	Description



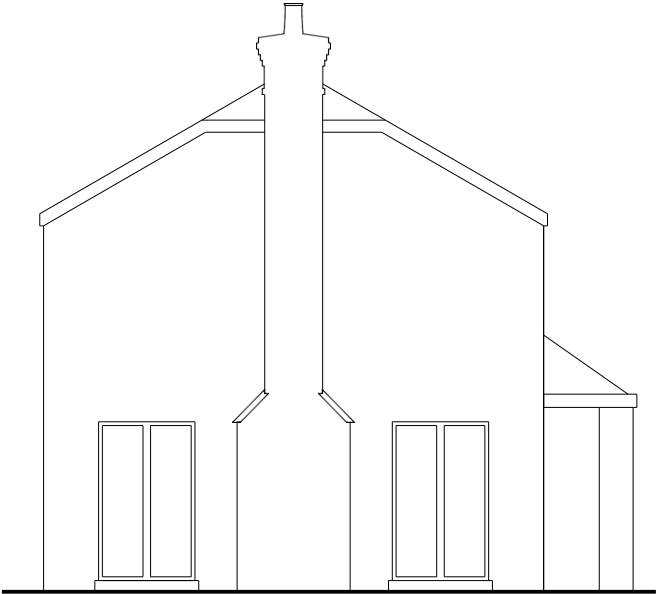
Front Elevation
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Side Elevation (Right)
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Rear Elevation
1:100



Side Elevation (Left)
1:100

P01	26/08/2021	JE	Initial Issue
Rev	Date	By	Description

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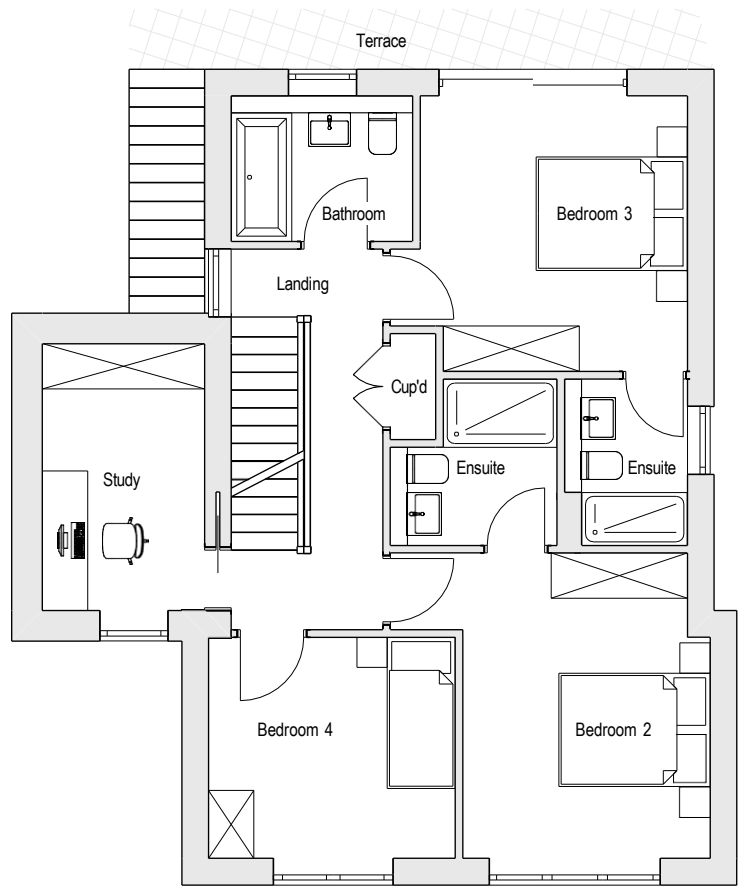
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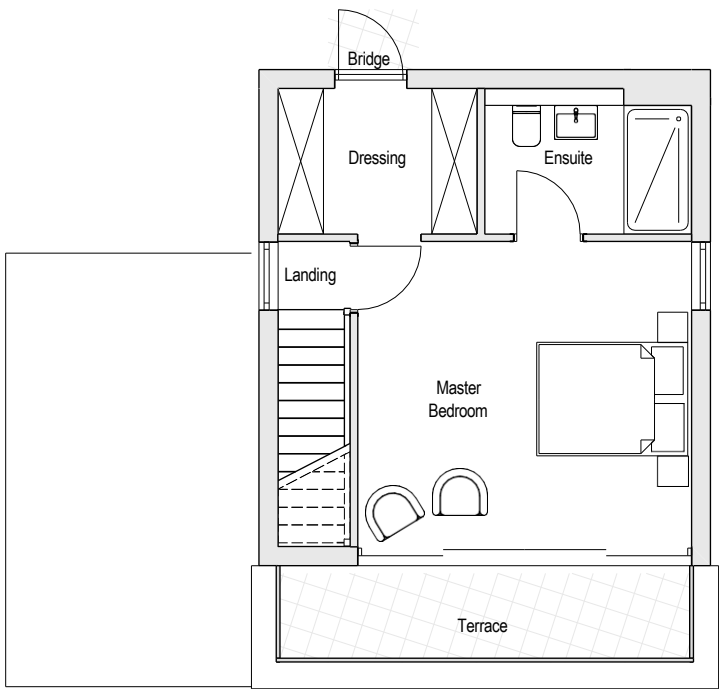
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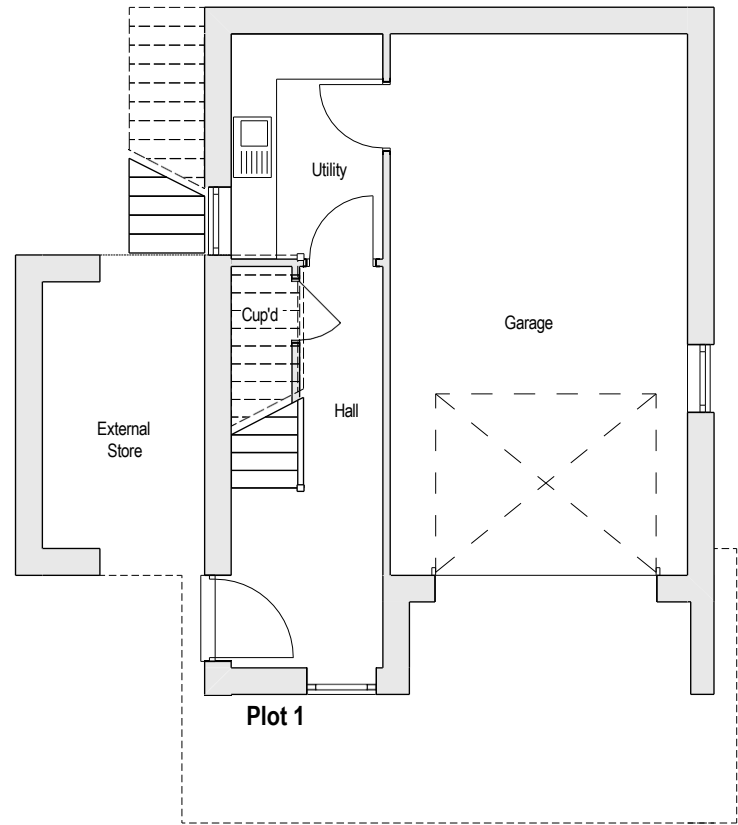
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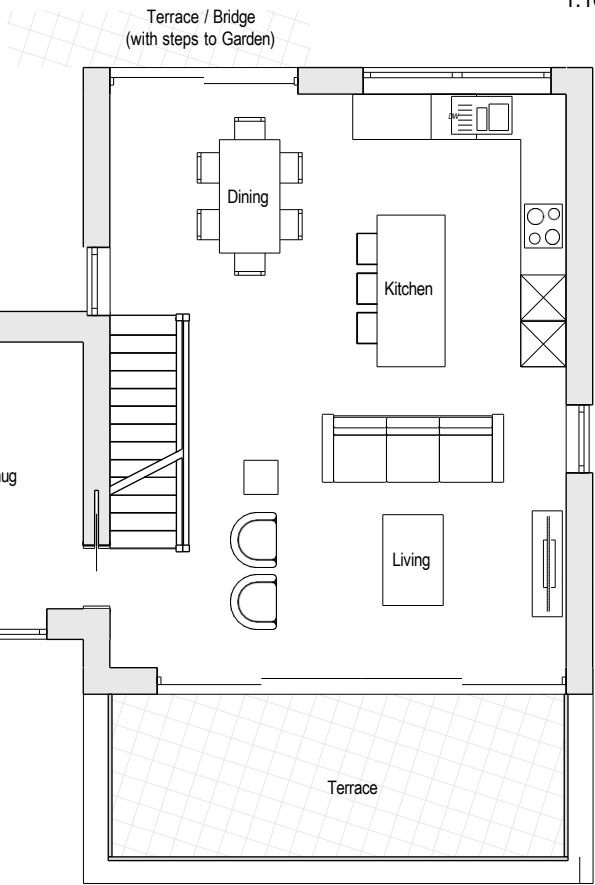
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Third Floor
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Ground Floor
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Second Floor
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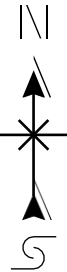
Accommodation Schedule

1n, 4 storey, 4 bedroom detached house with
integral single garage.
2n, 4 storey, 4 bedroom semi-detached houses
with integral single garage.
(area not including garage)

Development Total: 498m² / 5360 sq.ft

Floor Area Schedule (Plot 1)

Floor	Area sq m	Area sq ft
00 Ground Floor	16.81	180.96
01 First Floor	54.60	587.72
01 First Floor	71.55	770.15
03 Third Floor	33.16	356.97
	176.12 m ²	1895.80

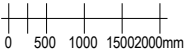


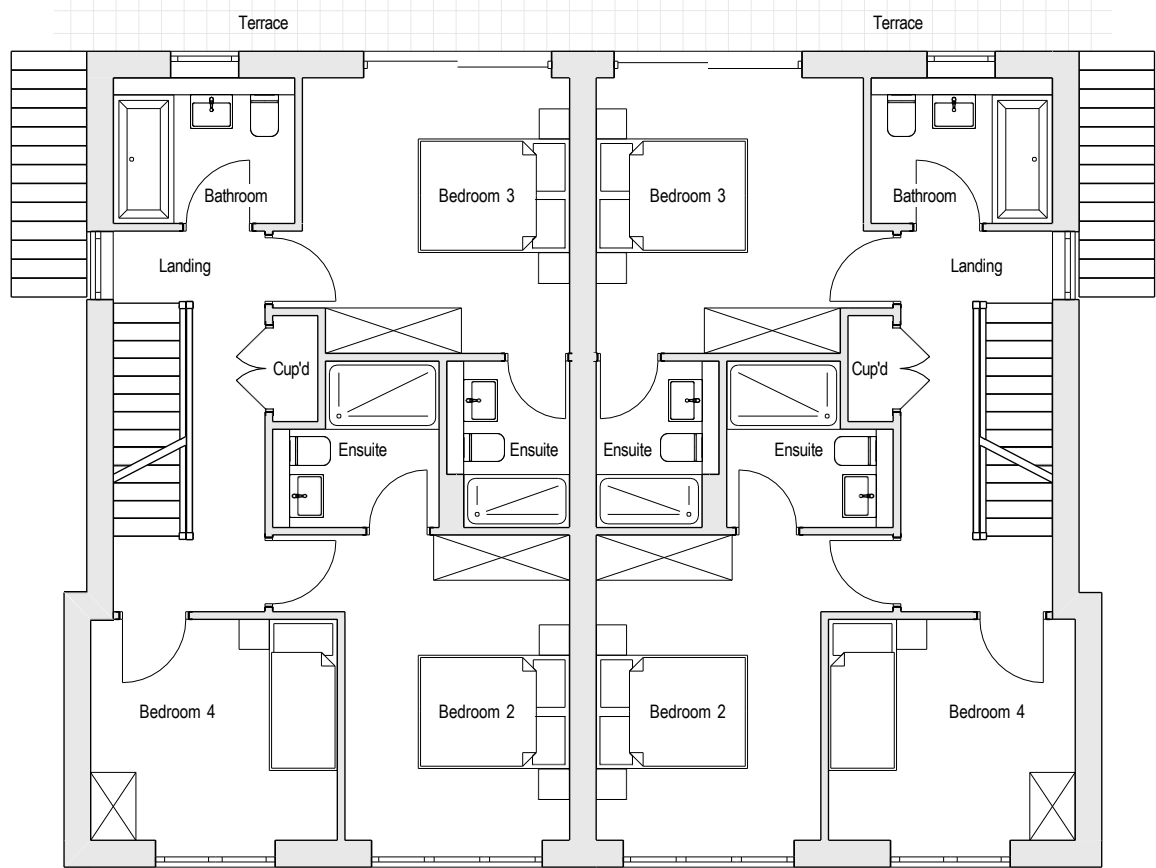
P01	22/02/2022	MF	Initial Issue
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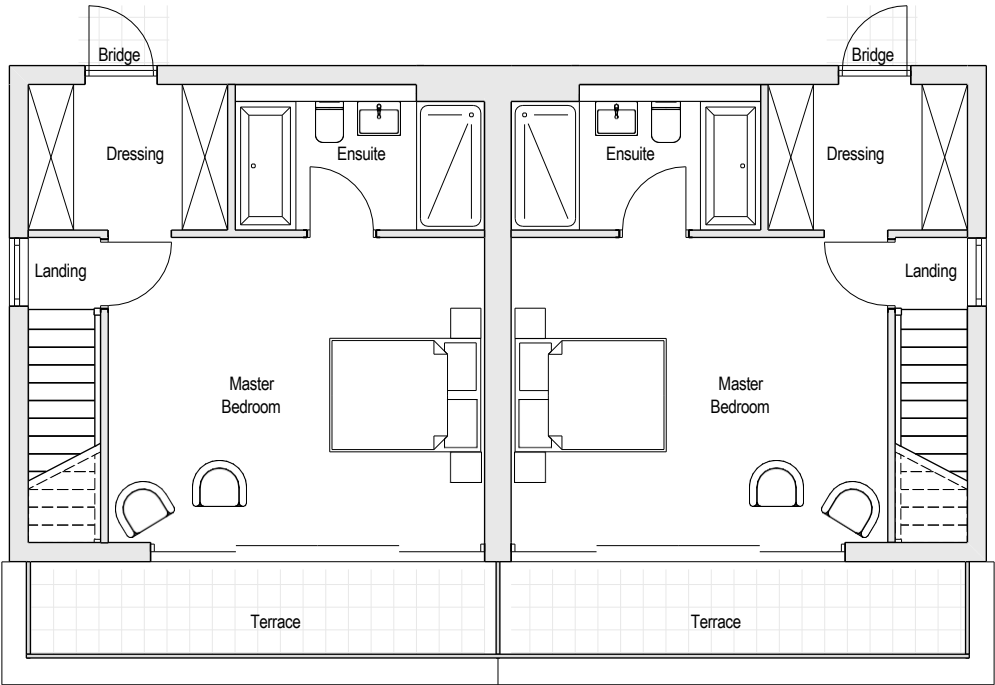
8 Glenmount Drive ^ Floorplans Plot 1 ^ 1:100@A3 ^ 1664-SYM-00-ZZ-DR-A-0207 P01





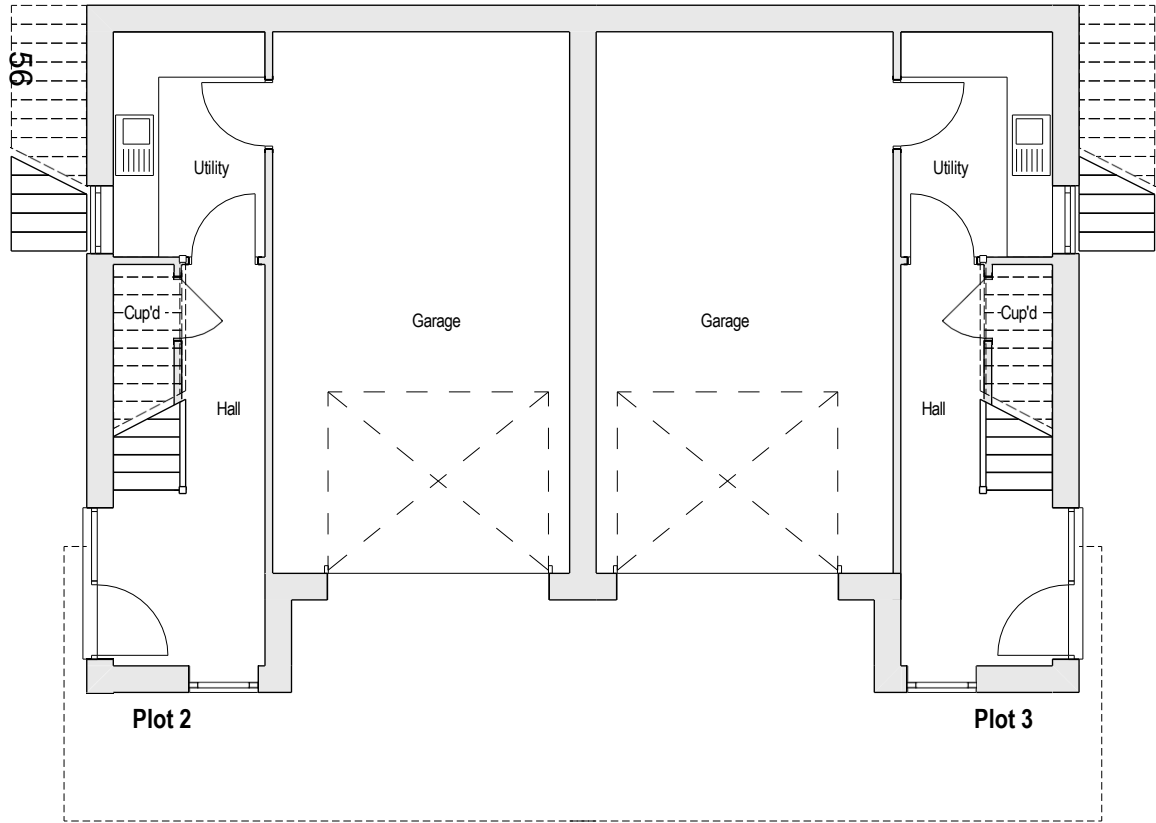
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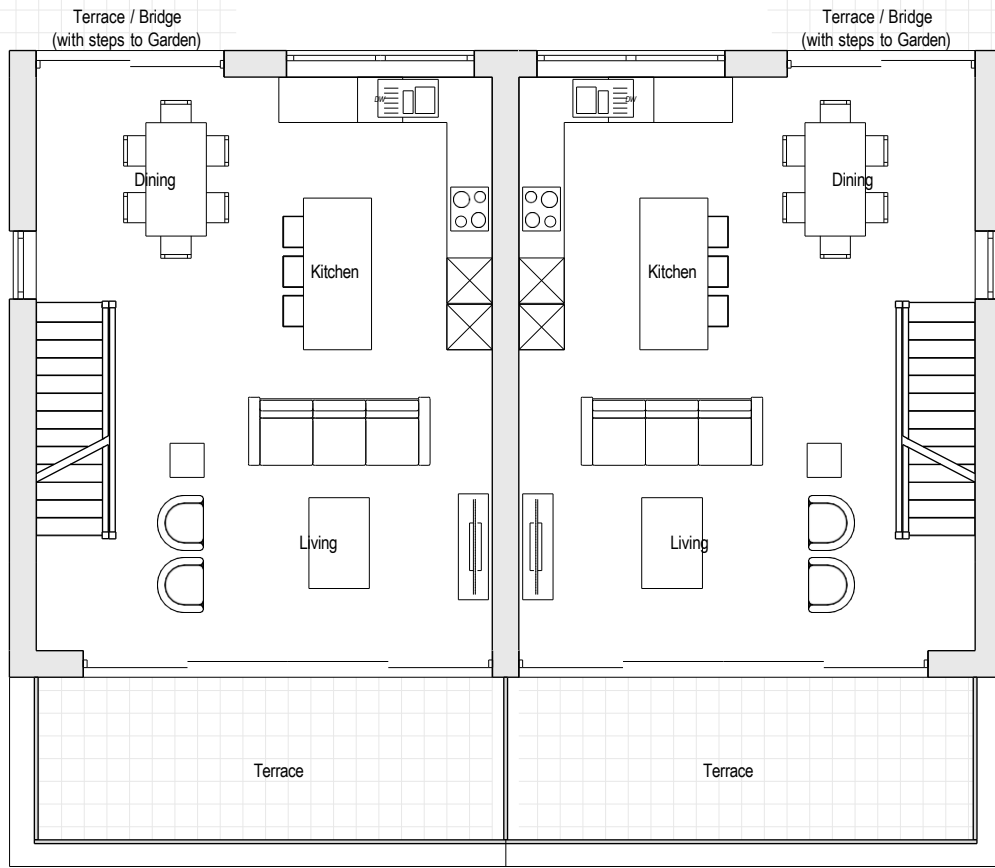
Third Floor

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Ground Floor

1:100



Second Floor

1:100

Accommodation Schedule

1n, 4 storey, 4 bedroom detached house with
integral single garage.
2n, 4 storey, 4 bedroom semi-detached houses
with integral single garage.
(area not including garage)

Development Total: 498m² / 5360 sq.ft

Floor Area Schedule Per Plot (Plots 2 & 3)

Floor	Area sq m	Area sq ft
00 Ground Floor	16.81	180.96
01 First Floor	61.74	664.57
02 Second Floor	45.78	492.73
03 Third Floor	36.57	393.66
	160.90 m²	1731.92

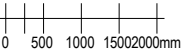


Rev	Date	By	Description
P02	22/02/2022	MF	Design updated to comments
P01	29/07/2021	IW	Issue for Outline Planning Application.

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8 Glenmount Drive ^ Floorplans Plots 2 & 3 ^ 1:100@A3 ^ **1664-SYM-00-ZZ-DR-A-0202 P02**



SYMMETRY
architecture



Perspective NTS



South Elevation
1:100



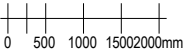
East Elevation
1:100

Rev	Date	By	Description
P02	22/02/2022	MF	Design updated to comments
P01	29/07/2021	IW	Issue for Outline Planning Application.

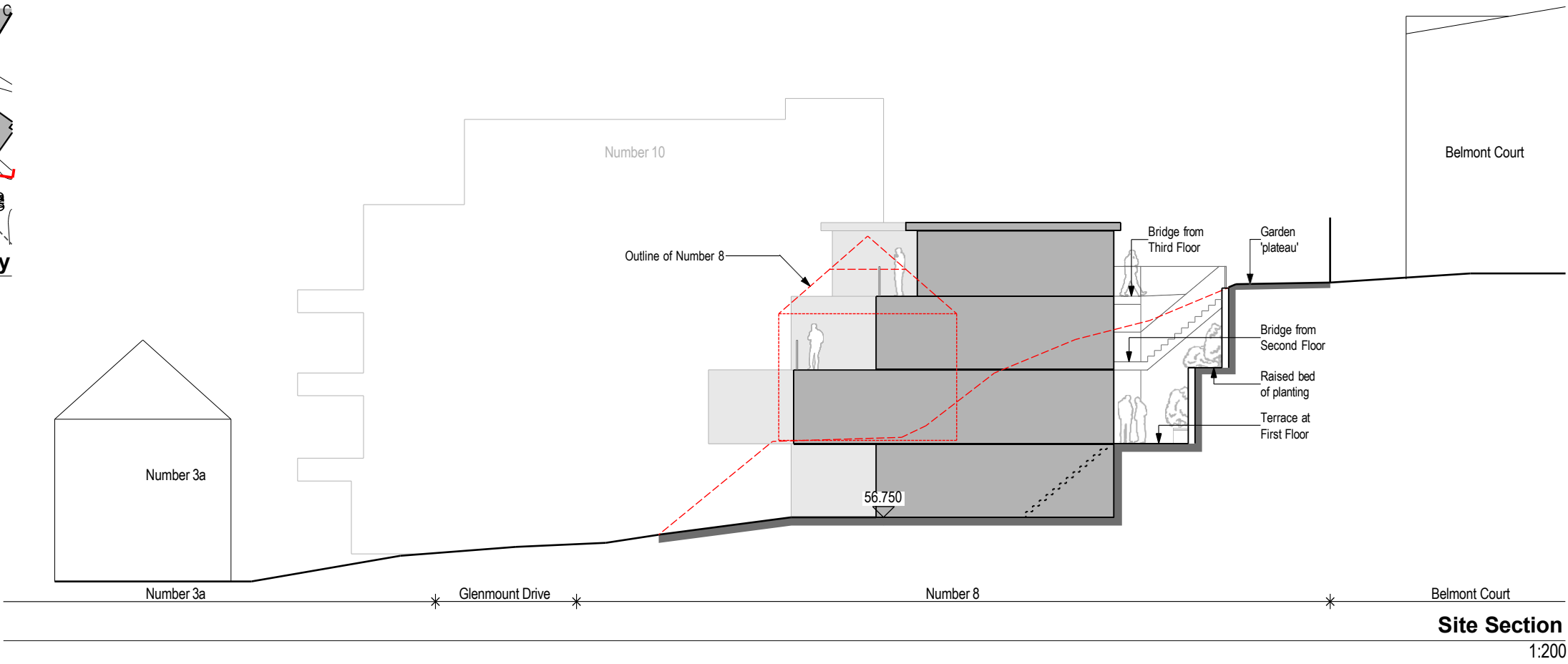
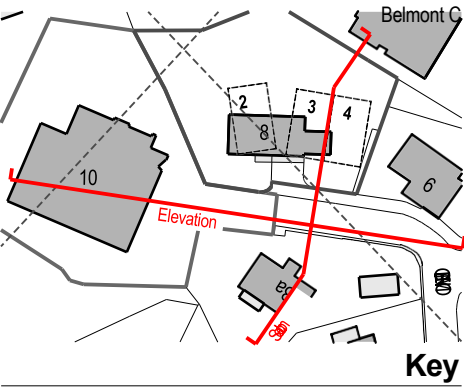
www.symmetryarchitecture.co.uk
office@symmetryarch.co.uk
3A Station Approach Broadstone Dorset BH18 8AX
01202 973379

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Date Printed: 22/02/2022

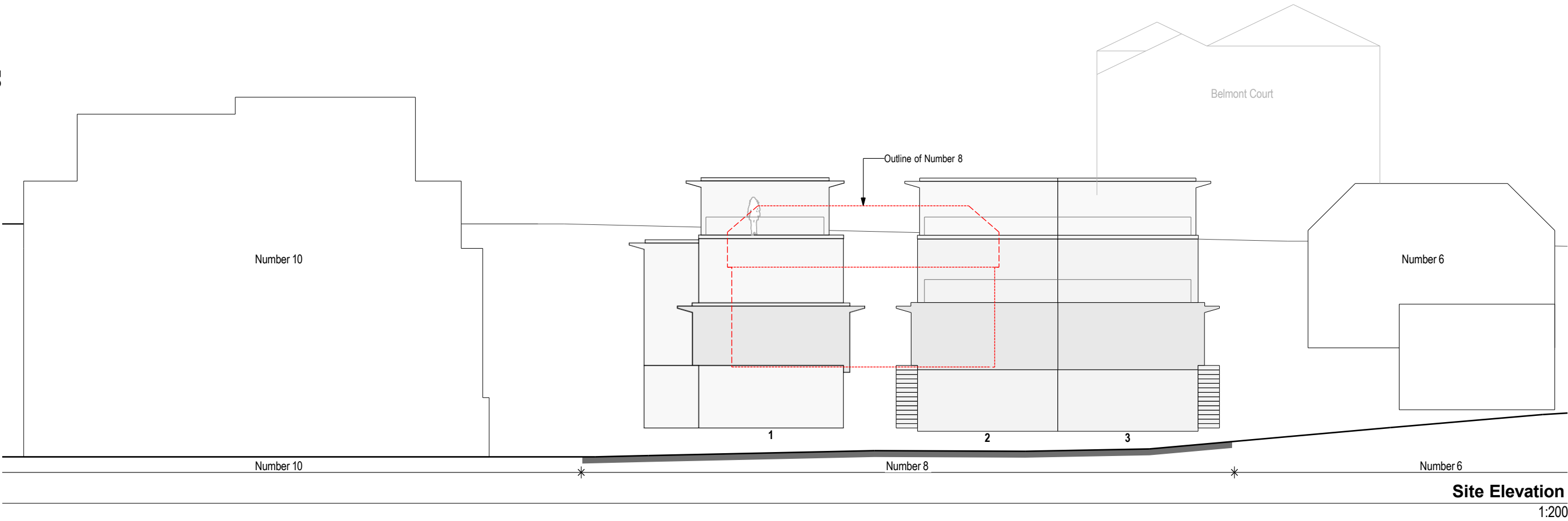
8 Glenmount Drive ^ Indicative Elevations ^ 1:100@A3 ^ 1664-SYM-00-XX-DR-A-0204 P02



SYMMETRY
architecture



58



P04	25/02/2022	JE	Updated to latest design
P03	29/07/2021	IW	Issue for Outline Planning Application.
P02	27/07/2021	IW	Rear of Plots 3&4 revised to accommodate tree.
P01	27/07/2021	IW	Initial Issue
Rev	Date	By	Description

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Date Printed: 28/02/2022

8 Glenmount Drive \ Site Section and Elevation \ 1:200@A3 \ 1664-SYM-00-XX-DR-A-0203 P04



SYMMETRY
architecture

PLANTING SPECIFICATION

Remember your plant font!

GENERAL

- All planting and landscape operations must comply with "Recommendations for General Landscape Operations" BS4428 (1989).
- Plant material must comply with the National Plant Specification.

IMPLEMENTATION TIMETABLE

Landscape works to be implemented in the first suitable planting season following completion of the site construction works.

- BARE ROOT AND ROOT BALLED PLANTS - November to March
- CONTAINER GROWN PLANTS - as above, or at any time if ground and weather conditions are favourable, and a reliable water supply is available for irrigation in prolonged periods of dry weather.

PLANT STOCK & HANDLING

- The importance of sourcing high quality planting stock cannot be over-emphasised.
- Unless otherwise specified all stock supplied must be container grown.
- All native species stock must be of British provenance and obtained from a reputable nursery.
- All plant stock and in particular trees, must conform to the species and stock size specified, be of high quality, healthy with high vitality, free from inherent structural defects, have a well-developed fibrous root system, be free from pests & diseases and perennial weeds & suitably hardened off to ensure establishment in the proposed situation.
- Where plants cannot be planted immediately upon delivery, they must be stored in a safe, sheltered location and afforded all necessary attention such as irrigation and protection from frost.
- Stock which is found to be of poor quality, incorrect specification, or subsequently deteriorates in quality through damage, poor handling, storage or maltreatment will be rejected and must be replaced.

GENERAL PREPARATION

- Except where existing trees/shrubs are to be conserved, all stumps must be removed to a minimum depth of 400mm with the aid of an appropriate mechanical stump grinder.
- Break out any existing hard surfaces to the full depth of construction and excavate to allow full depth of topsoil and compost indicated below.
- Finished levels of topsoil with much dressing to be 50mm above adjacent pavings and 150mm below D.P.C.
- Remove all existing surface vegetation and thoroughly cultivate soil outwith tree canopies to a minimum depth of 200mm. All large soil lumps are to be broken down, removing all weeds, roots, stones above 40mm and other extraneous rubbish.
- Once cultivations are complete, thoroughly incorporate well-rotted farmyard manure or other approved organic compost at 1m³ per 20m², and water retention granules (e.g. Broadleaf P4) at 100g/m² into the uppermost 120mm of top-soil.
- Finally, the area should be raked over, levelled and lightly consolidated by treading.

PREPARATION WITHIN THE CANOPY SPREAD OF EXISTING TREES

- Remove all weeds and existing vegetation using hand tools only. Retain existing topsoil and carefully cultivate with hand tools only with no greater change of level than 50mm.
- Plant stock to be spaced to avoid damage to large tree roots. Planting pits to be backfilled with a 70 / 30 mix of topsoil / compost.

TOPSOIL

- Imported topsoil to be clean multi-purpose quality topsoil as stated in BS3882:2007. If site topsoil is to be reused it must be equivalent to the multi-purpose quality in the BS. Devoid of stones and debris over 40mm and free from weeds, vegetation and other deleterious material.
- Do not use topsoil contaminated with oil, chemicals, cement or other materials poisonous to plants.

SHRUB PLANTING

- Prior to planting set out all shrubs to ensure correct density & spacing.
 - Excavate circular holes for each shrub/plant with a radius a minimum of 100mm. Larger than the container with the sides sloping towards the centre. To prevent settlement the bottom of the pit should be firm, and to encourage lateral root growth the sides of the pit should be gently loosened.
 - Planting pits to be backfilled with a 70 / 30 mix of topsoil / compost.
 - Spread approved recycled wood-chip or decorative bark mulch over all the exposed soil of planted areas to a minimum settled depth of 75mm.
- NEW HEDGES
- Plant as 150/300cm container grown stock single row @ 3 per linear m.
 - Planting trench to be excavated minimum 300mm wide & 300mm deep.
 - Back fill with excavated material and dress with slow release fertiliser.
 - Cut back the height of the newly planted hedge immediately by 20% to a uniform height to encourage bushy growth from the base.

TREE PLANTING - See section below

- All tree planting must be carried out in accordance with section 10 of BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and the section drawing below.
- Mark positions of all trees with stakes prior to undertaking excavations.
- The tree planting area should be thoroughly cultivated and contain quality, lightly consolidated top soil to a minimum depth of 70cm. Excavate a circular pit a minimum of twice the diameter of the trees rootball and 1.5 times its depth.
- The sides of the pits should be gently sloping towards the bottom. Any excavated material should be discarded and replaced with a corresponding amount of clean topsoil. The bottom of the pit should be forked to break up the soil to a depth of 150mm, and then to prevent settlement lightly consolidated by treading. In order to encourage lateral root growth the pits sides should be gently loosened with a fork.
- Remove the tree from its container and lightly loosen the rootball, gently spreading the roots. Prune off any damaged or defective roots using secateurs. Trees found with severe root girdling must be rejected.
- Position the tree in the centre of the prepared pit, ensuring the nursery mark corresponds with surrounding levels.
- Carefully insert min 75mm c. stakes (2), temporarily remove the tree and knock in the stake(s) to a min depth of 300mm into the undisturbed soil.
- Cut off stake just below the lowest branch.
- Where only one stake is specified this must be positioned on the side of the tree towards the prevailing wind.
- Carefully fit all ties, fixings and fittings as per the section drawing below.
- www.greenleaf.co.uk
- Planting pits to be backfilled with a 70 / 30 mix of topsoil / compost.
- Immediately after planting, thoroughly irrigate the tree, as well as the surrounding exposed soil around it to field capacity.
- Finally, ensuring that the stem is kept clear, spread approved recycled wood-chip/decorative bark mulch over all the exposed soil to a min radius of 500mm around each tree to a minimum settled depth of 75mm.

WATERING

- Immediately after completion of planting on each day, irrigate all planted areas thoroughly to field capacity.
- Make provision for adequate watering to promote sustained healthy growth throughout the maintenance period.

MAINTENANCE & REPLACEMENTS

- The landscape contract carries a defects liability for 12 months following completion of the planting.
- The contractor must at his own expense maintain the entire scheme, replacing any plants, which are dead, dying or have otherwise failed, within the first year following planting, with appropriate specimens of the same species and stock size.

5 YEAR MAINTENANCE PLAN

To ensure successful establishment, the importance of good site husbandry and maintenance cannot be over-emphasised. All planted material must be afforded all necessary care and attention in accordance with best horticultural practice and maintained for a period of five years after planting.

1. PLANT REPLACEMENTS

Check all planted stock annually in late summer and replace any dead, dying, broken or otherwise failed plants with an appropriate specimen of the same species and stock size before December of that year.

2. WATERING

Years 1-3
As required to promote healthy, sustained growth, paying particular attention to spells with no appreciable rainfall for 14 consecutive days. Watering after Year 2 will usually not be necessary except in prolonged exceptionally dry conditions.

3. WEEDING & LITTER PICK - Years 1-5
Maintain planted areas substantially free of weeds. Hand weeding & litter pick - min 5 x per year March to November. Chemicals may only be used with prior written agreement.

4. TREE STAKES & TIES - Years 1-5
Check stakes & fittings 4 x per year at maintenance visits.
Check for stability and adjust spacers and straps to prevent chaffing.
Remove all redundant stakes & fixings.

5. MULCH - Years 1-5
Replenish mulch at min 75mm depth. Top up levels as required.

6. PRUNING - Years 1-5
PRUNE TREE & shrubs as necessary to control lateral growth, remove dead or diseased plant material, and to promote good form.
Do not use a hedge trimmer to prune shrubs.

7. PESTS & DISEASE - Years 1-5
Monitor all planted stock for pest damage & disease, and treat/replace affected plants as necessary.



Aqua-flow block paviors



Dry jointed stone paving



Limestone chippings



Grass

3 no. Field maple 'Elegant'
(Acer campestre 'Elegant')
180-240cm/35L container grown

1 no. aperlbar maple
(Acer riseum)
180-240cm/35L container grown

3 no. Fastigate hawthorn
(Crataegus monogyna Stricta)
180-240cm/35L container grown

1 no. Whitebeam 'Majestica'
(Sorbus aria 'Majestica')
180-240cm/35L container grown

1 no. Vilmorin's rowan
(Sorbus vilmorinii)
180-240cm/35L container grown

1 no. owan 'Sheerwater Seedling'
(Sorbus aucuparia
Sheerwater Seedling)
180-240cm/35L container grown

Appendix 1c to report SW/AMS/438a/22

8

180-240cm/35L container grown,
feathered trees
Friday, 4th August 2022

ew green beech hedging

ew shrub & fern planting

Total 40m

To provide enhanced screening & wildlife habitat the recommended native species shrubs/trees are to be planted as a single row at 33cm centres as follows:
120-150cm/35-140 litre container-grown.

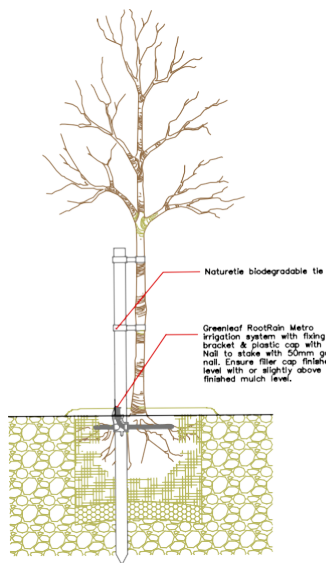
121 no. plants at 33cm centres green beech (Crataegus monogyna)

Way of replacement for the low/poor quality trees removed for management & to facilitate development of a new high quality, container grown, feathered trees with a minimum stock size of 180-240cm/35 litre, appropriate to the new development & free-draining site soils, will be planted in the positions shown:

- 1 no. owan (Sorbus aucuparia) 'Sheerwater Seedling'
- 1 no. Vilmorin's rowan (Sorbus vilmorinii)
- 1 no. Whitebeam (Sorbus aria) 'Majestica'
- 1 no. aperlbar maple (Acer riseum)
- 1 no. Field maple (Acer campestre) 'Elegant'
- 3 no. Fastigate hawthorn (Crataegus monogyna) 'Stricta'

All available from www.barcham.co.uk

This plan has been adapted from the layout drawings provided. All measurements must be checked with the original documents. © SoundWood Tree Consultancy 2022.



Tree Planting Section
Not to scale

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Planning Committee

Application Address	43 Ashwood Drive, Poole, BH18 8LN
Proposal	Remodelling, refurbishment, ground and first floor extensions. Construction of detached single storey double garage. New boundary treatment and gate
Application Number	APP/22/00814/F
Applicant	Mr and Mrs Stelmach
Agent	N/A
Ward and Ward Member(s)	Broadstone Cllr Brooke Cllr Slade
Report status	Public report
Meeting date	20/10/2022
Summary of Recommendation	Refuse
Reason for Referral to Planning Committee	Referred to the committee by a ward Councillor Mike Brooke by the reason of consistency in the decision-making process
Case Officer	Dominika Gec

Executive Summary

1. The development that is proposed by this application seeks planning permission to remodel the existing dwelling by extending it and adding a first floor to it. The proposed development also includes the erection of a detached garage to the front of the dwelling and the erection of a new boundary treatment with a gate.
2. The key planning issues for Members to consider in the determination of this application are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against the relevant planning policies and other material considerations.

Description of Site and Surroundings

3. The application site is occupied by a detached L-shape bungalow that is located on the south-eastern side of Ashwood Drive. There is a dual garage attached to the side and a driveway for at least 2 cars to the front of the property.
4. The character of the immediate area surrounding the application site is residential in nature, comprising of detached bungalows and 2 storey dwellings with vehicular accesses located to the front.

Relevant Planning History

5. A pre-application request was submitted in 2021 (PREA/21/00138). Advice was provided that the remodelled dwelling and new garage should have pitched roofs to respect the style and design of other properties in the vicinity and to preserve the character and appearance of the nearby surrounding area.
6. 57 Ashwood Drive
2018 - Remove existing low pitch roof and construct a first floor to provide additional accommodation. Conversion and extension of existing garage and construct a new garage – **approved** (APP/18/00979/F).

Constraints

7. The application site lies within 400m of Canford Heath that is designated as a Site of Special Scientific Interest (SSSI) and forms part of the Dorset Heathlands Special Protection Area (SPA) and Ramsar site and Dorset Heaths Special Area of Conservation (SAC).
8. The site is covered by a Tree Preservation Order.

Public Sector Equalities Duty

9. 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

10. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

11. 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.

Consultations

12. BCP Highways Authority - supports the proposal subject to informative notes.

Representations

13. Site notices were posted outside the site on 20/07/2022 with an expiry date for consultation of 13/08/2022.
14. 3 letters of representation have been received. 1 representation has been submitted in support of the proposed scheme, 1 is neutral and 1 representation raises objection to the proposed development.
The issues raised in the representation in objection to the proposed development comprise the following:
- Overlooking and overbearing impact on the neighbour at No. 45 Ashwood Drive; and
 - The proposal would harm the character and appearance of the street scene.

Broadstone Neighbourhood Forum – Neither object or support the proposal but comment that the design is very different to the surrounding properties in this part of Ashwood Drive although there is a variety of styles of houses and bungalows in the road. The proposed design will add to the mix, but it is not in keeping with other properties.

Key Issues

15. The key issues involved with this proposal are:
- Impact on character and appearance of the area
 - Impact on neighbouring amenities and privacy
 - Impact on parking
 - Impact on trees
16. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

17. Local documents:

Broadstone Neighbourhood Plan (Adopted June 2018)
BP08 Well-designed extensions

Poole Local Plan (Adopted November 2018)
PP01 Presumption in favour of sustainable development
PP27 Design
PP35 A Safe, Connected and Accessible Transport Network

18. Supplementary Planning Documents:

BCP Parking Standards SPD (adopted January 2021)

19. National Planning Policy Framework (“NPPF”/“Framework”)

Section 2 – Achieving Sustainable Development

Paragraph 11 –

“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

Paragraph 130 –

“Planning policies and decisions should ensure that developments:

...

- 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).”

Paragraph 131 –

“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined⁵⁰, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”

Planning Assessment

Impact on character and appearance of the area

20. Policy PP27 of the Poole Local Plan (November 2018) requires a good standard of design in all new developments. In general, Policy PP27(1) supports development which reflects or enhances local patterns of development and neighbouring buildings by virtue of their layout and siting; height and scale; bulk and massing; materials and detailing; landscaping and visual impact. Policy PP27(2) states that in addition to complying with the relevant criteria above, extensions and/or alterations to buildings should be designed to respect and relate to the existing building and maintain or enhance any details that contribute positively to local character.
21. Policy BP8 of the Broadstone Neighbourhood Plan states that extensions, including loft/roof space conversions, or alterations to the existing buildings will be supported where they: i) complement the architecture of the existing building or group of buildings within the street scene; ii) use materials that are sympathetic to and integrate with the existing building; iii) reflect the prevailing pattern of development, scale and rhythm when viewed from the street retaining important gaps in between dwellings that currently exist; iv) preserve neighbouring amenities including light, outlook and privacy.
22. The proposed remodelled and extended dwelling would result in a 2 storey flat roofed dwelling of a contemporary design and appearance. A detached, flat roof garage is also proposed to the front of the site. Both of these buildings would be readily visible in the street scene of Ashwood Drive. The proposed development has been subject to a pre-application submission and at that stage it was advised that a pitched roof form, rather than flat roof form, should be added over the first floor of the remodelled dwelling and the proposed garage to the front to preserve the character and appearance of the area. This advice, however, has not been reflected in the proposals that are the subject of this current application. Whilst there are examples of dwellings of 2-storey scale in the vicinity of the application site, such that the scale of the resultant dwelling at 2-storeys would not be out of keeping, it is nevertheless evident that the surrounding properties are predominantly of a traditional style of architecture albeit that they are of varying designs. By contrast, the proposal would result in a dwelling of flat roof form and that would have an overtly contemporary design and appearance, that together with the garage proposed to the front of the property, would not reflect the traditional style of architecture and pitched roof that provides the predominant characteristics to the built within the street scene of Ashwood Drive. As such, it is considered that the character and appearance of the resultant dwelling would appear out of keeping with the street scene and in this regard would represent an intrusive and discordant feature that would have a materially harmful impact upon the character and appearance of the street scene and surrounding area.
23. It is noted that there is an example of a dwelling of a flat roof and more modern/contemporary style and appearance at No. 57 Ashwood Drive. This dwelling, however, is located at the end of the cul-de-sac at the southern end of Ashwood Drive, is set at a lower level than the road and a substantial part of it is screened from the road by vegetation growing on the front boundary of that site. Therefore, the dwelling at No.57 Ashwood Drive does not appear as prominent to the street scene of Ashwood Drive as the dwelling on the application site would do and as such does not appear so out of keeping or harmful to the street scene.

24. The proposed boundary treatment with a gate due to its scale, height and design would integrate well with the character and appearance of the area.
25. Therefore, due to its flat roof form and contemporary style and design would appear out of keeping with the prevailing traditional style of properties with pitched roof forms that form the predominant character to the built form within Ashwood Drive. As such, the proposal would be contrary to Policy PP27(1)(a) of the Poole Local Plan (November 2018) and Policy BP08(A)(i) and (iii) of the Broadstone Neighbourhood Plan (June 2018).

Impact on the neighbouring amenity and privacy

26. The proposed extended and remodelled dwelling due to its siting, height and separation distance from the neighbouring properties would not cause a material loss of sunlight or daylight, loss of outlook, any materially harmful shading, and would not appear overbearing for the neighbouring occupiers.
27. In addition, the garage proposed to be erected to the front of the application site due to its single storey scale and adequate separation distance from the neighbouring properties would not materially harm amenities of the neighbouring occupiers in terms of loss of sunlight/daylight, loss of outlook, harmful shading and it would not appear overbearing.
28. In terms of privacy, the windows proposed on the first floor to the western (front) elevation of the extended and remodelled house would allow views overlooking the front garden of the application, the driveway of No. 45 Ashwood Drive and the front garden of No. 47 Ashwood Drive. However, it is considered that an adequate separation distance would be retained between the application dwelling and these neighbouring properties such that the privacy of the occupants of the neighbouring dwellings would not be materially harmed by them. The first floor window proposed to the south elevation of the application dwelling that would serve the dressing area associated with Bedroom 6 would face towards the bedroom windows of No. 45 Ashwood Drive. Therefore, given the nature of the accommodation that would be served by this window, it is considered that it would be reasonable to impose a condition requiring that it is installed as obscure glazed and fixed shut below 1.7m above the internal finished floor level to protect the neighbouring privacy if the application was granted. The first floor windows proposed to the rear of the extended and remodelled dwelling would naturally allow an outlook overlooking the rear garden of the application site and would also allow oblique views overlooking the rear gardens of the neighbouring properties to either side. However, any overlooking towards the neighbouring gardens would be sufficiently oblique and that it would not be materially harmful and is considered to be acceptable in an urban environment. Views from the windows proposed on the ground floor of the application dwelling would be obstructed by the existing boundary treatments. Therefore, they would not materially harm the privacy of the occupants of the neighbouring properties.

29. Having regard to the above considerations, the proposal would be acceptable and would not result in any material harm in respect to the neighbouring amenities and privacy. As such, the proposal would comply with Policy PP27(1)(c) of the Poole Local Plan (November 2018) and Policy BP08(A)(iv) of the Broadstone Neighbourhood Plan (June 2018).

Impact on parking

30. The proposal would result in the number of bedrooms being increased, and the parking space within the existing integral garage would be lost. However, the remaining on-site parking provision together with parking spaces within the proposed garage would be sufficient to meet the parking needs of the extended dwelling.
31. Therefore, the proposal would comply with Policies PP27(1)(g) and PP35 of the Poole Local Plan (November 2018).

Impact of trees

32. The site is covered by a Tree Preservation Order. The trees of merit are situated mainly to the rear of the site and at a sufficient distance from the proposed extensions and alterations to the existing property. Therefore, they would not be directly affected by the construction or by construction activities. The removal of one tree, in the front garden, is proposed to facilitate the construction of the garage. The removal of this small tree would have some impact on amenity and therefore replacement tree planting would be required to mitigate its loss if the application is granted, which can be secured by condition.
33. Therefore, the proposal would comply with Policy PP27(1)(b) of the Poole Local Plan (November 2018) subject to a condition if the application is granted.

Planning Balance/Conclusion

34. Although the proposed development would preserve the amenities and privacy of the occupants of the neighbouring properties, the amenity of the protected trees would not be materially harmed and the proposal would not have an adverse impact in relation to on-site parking provision and highway safety; the extended and remodelled dwelling and the garage proposed to the front of the site due to their flat roofed, boxy and contemporary style and design would be out of keeping with the surrounding built and would materially harm the character and appearance of the street scene and wider surrounding area.
35. The proposal would result in a residential unit with larger habitable accommodation and would potentially provide some short-term economic benefit from employment associated with the construction work. However, having assessed all aspects of the proposed scheme, it is concluded that any limited benefits attributable to the proposed extension and remodelling of the application

dwelling would not outweigh the harm arising in terms with non-compliance with the adopted policies of the Poole Local Plan and Broadstone Neighbourhood Plan, as outlined above. The proposal is therefore recommended for refusal.

Background Document

36. Case File ref: APP/22/00814/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.

Recommendation

Refuse

Reasons for Refusal:

1. The proposed extended and remodelled dwelling, and the new garage to the front of the site, due to their flat roof forms, boxy form and contemporary style and design would not reflect the traditional style of architecture and pitched roof forms that create the predominant character to the built form within the street scene of Ashwood Drive. As such, it is considered that the character and appearance of the resultant dwelling would appear out of keeping with the street scene and in this regard would represent an intrusive and discordant feature that would have a materially harmful impact upon the character and appearance of the street scene and surrounding area, contrary to the provisions of Policy PP27 of the Poole Local Plan (November 2018) and Policy BP08 of the Broadstone Neighbourhood Plan (June 2018).

Informative Notes:

1. IN73 (Working with Applicants: Refusal)

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 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:

- the applicant was given pre-application advice and did have regard to it.

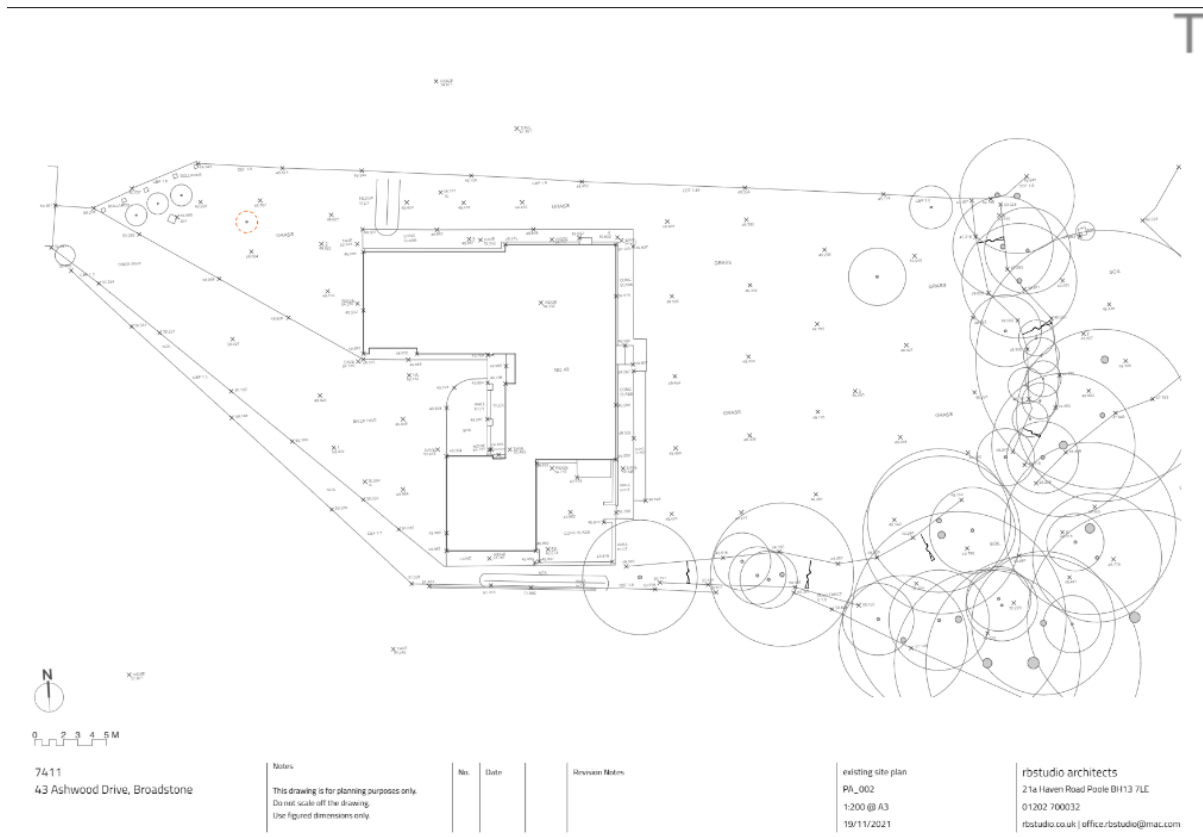
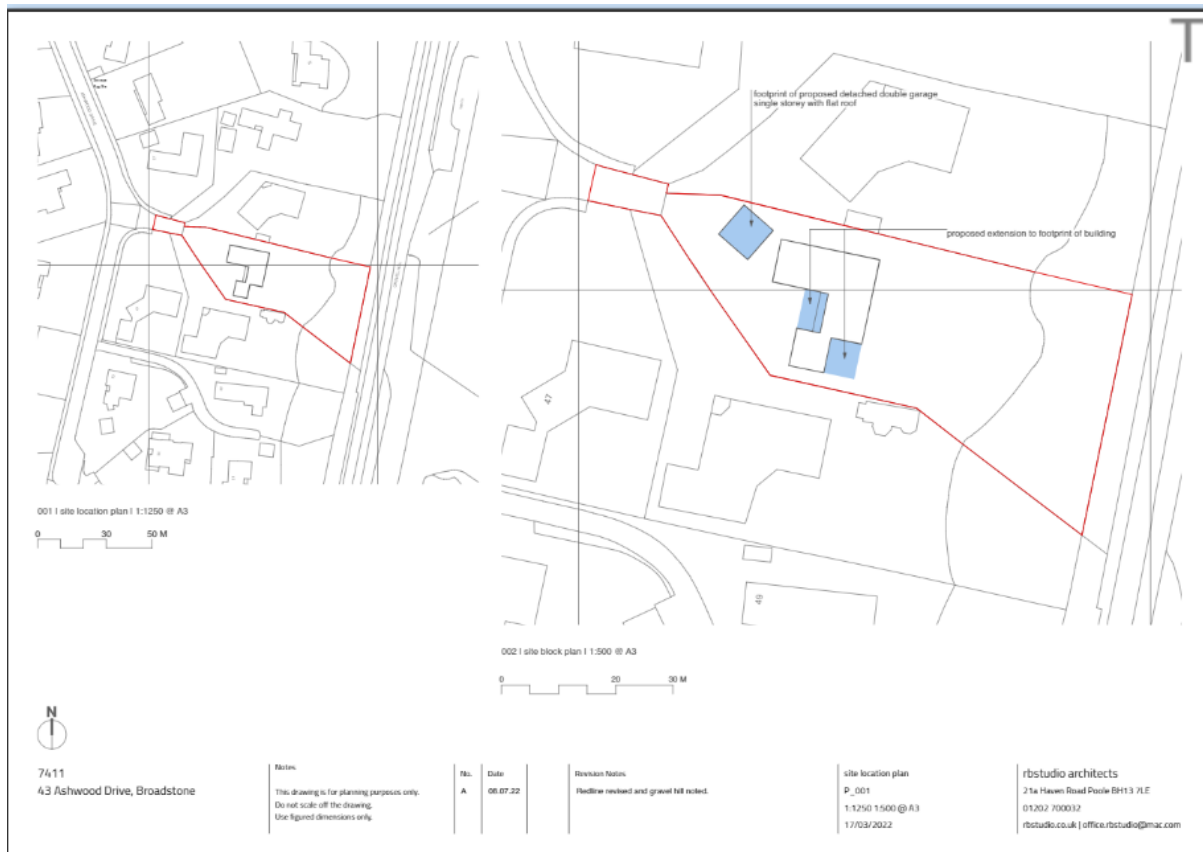
- in this case the applicant was advised how the proposal did not accord with the Development Plan, and that no material consideration were apparent that would outweigh these matters.

2. IN76 (List of Plans Refused)

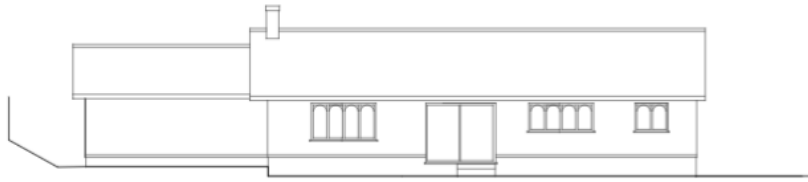
The development is hereby refused in accordance with the following plans:

Drawing no. P_001 Site Location Plan received 11/07/2022;
Drawing no. P_007 Proposed Site Plan received 11/07/2022;
Drawing no. PA_011 Proposed Elevations 001 received 10/06/2022;
Drawing no. PA_012 Proposed Elevations 002 received 10/06/2022;
Drawing no. PA_008 Proposed Ground Plan received 10/06/2022;
Drawing no. PA_009 Proposed First Plan received 10/06/2022;
Drawing no. PA_010 Proposed Roof Plan received 14/09/2022; and
Drawing no. PA_014 Street Elevation received 10/06/2022.

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T



001 | existing rear / east elevation



002 | existing side / south elevation



7411
43 Ashwood Drive, Broadstone

Notes

This drawing is for planning purposes only.
Do not scale off the drawing.
Use figured dimensions only.

No.

Date

Elevation Notes

existing elevations: 002

PA_006

1:100 @ A3

19/11/2021

rbstudio architects

21a Haven Road Poole BH13 7LE

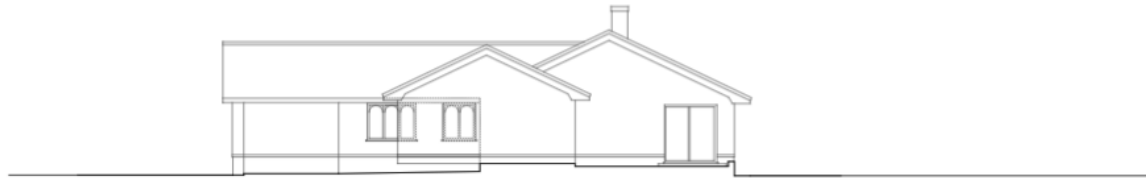
01202 700032

rbstudio.co.uk | office@rbstudio@mac.com

T



001 | existing front / west elevation



002 | existing side / south elevation



7411
43 Ashwood Drive, Broadstone

Notes

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Do not scale off the drawing.
Use figured dimensions only.

No.

Date

Elevation Notes

existing elevations: 001

PA_006

1:100 @ A3

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T



0 1 2 3 4 5 M

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Notes

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No.

Date

Revision Notes

existing ground plan

PA_003

1:100 @ A3

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T



0 1 2 3 4 5 M

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Notes

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No.

Date

Revision Notes

existing roof plan

PA_004

1:100 @ A3

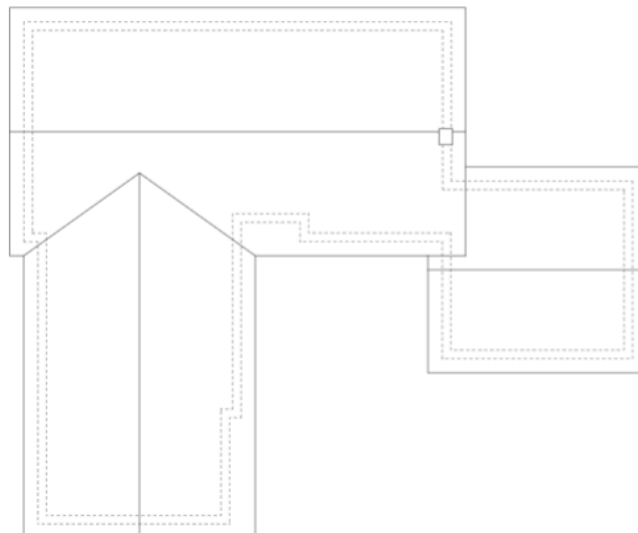
19/11/2021

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NOTES:
All views are indicative.



001 | proposed rear / east elevation
pink dashed line indicates outline of existing buildings



002 | proposed side / north elevation
pink dashed line indicates outline of existing buildings

7411
43 Ashwood Drive, Broadstone

Notes

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Use figured dimensions only.

No.

Date

Revised Notes

proposed elevations 002
PA_012
1:100 @ A3
19/11/2021

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NOTES:
All views are indicative.



7411
43 Ashwood Drive, Broadstone

Notes

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Do not scale off the drawing.
Use figured dimensions only.

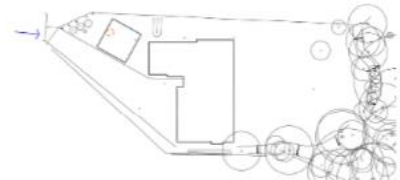
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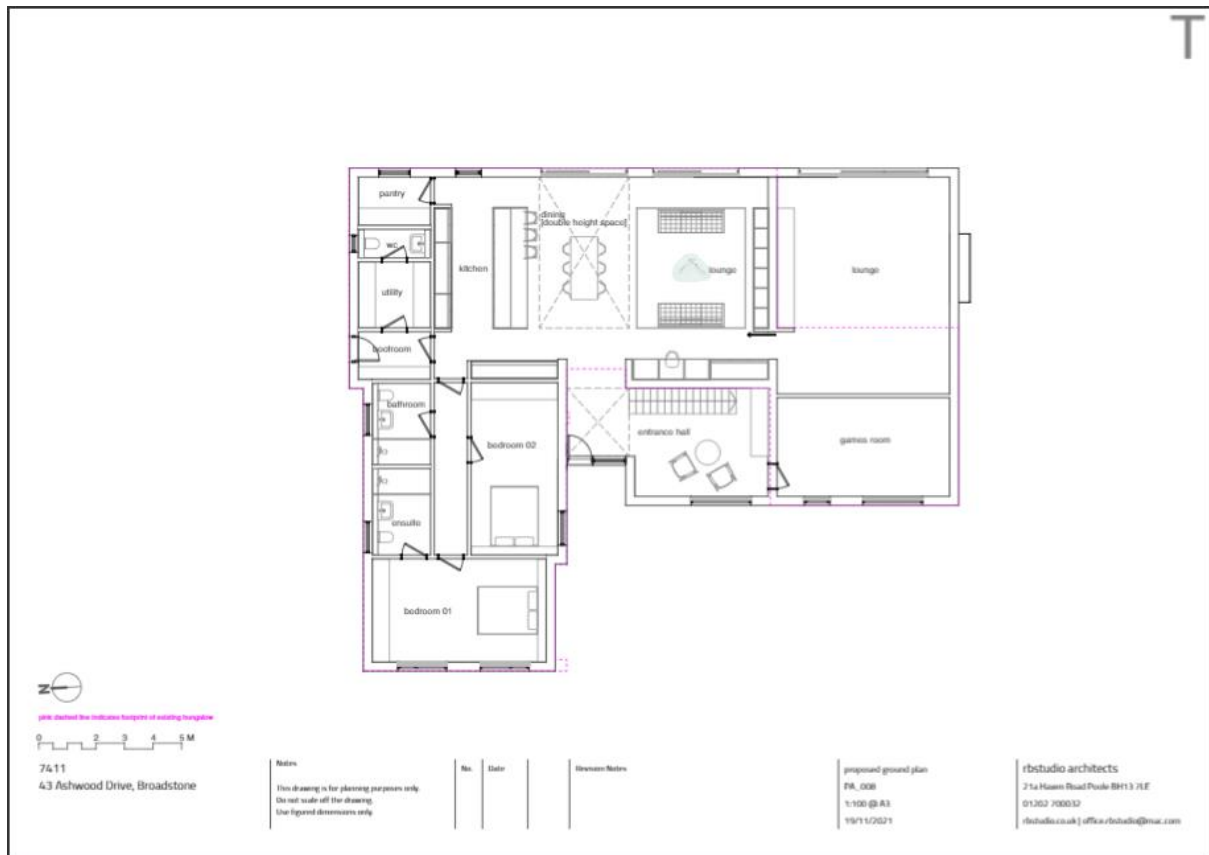
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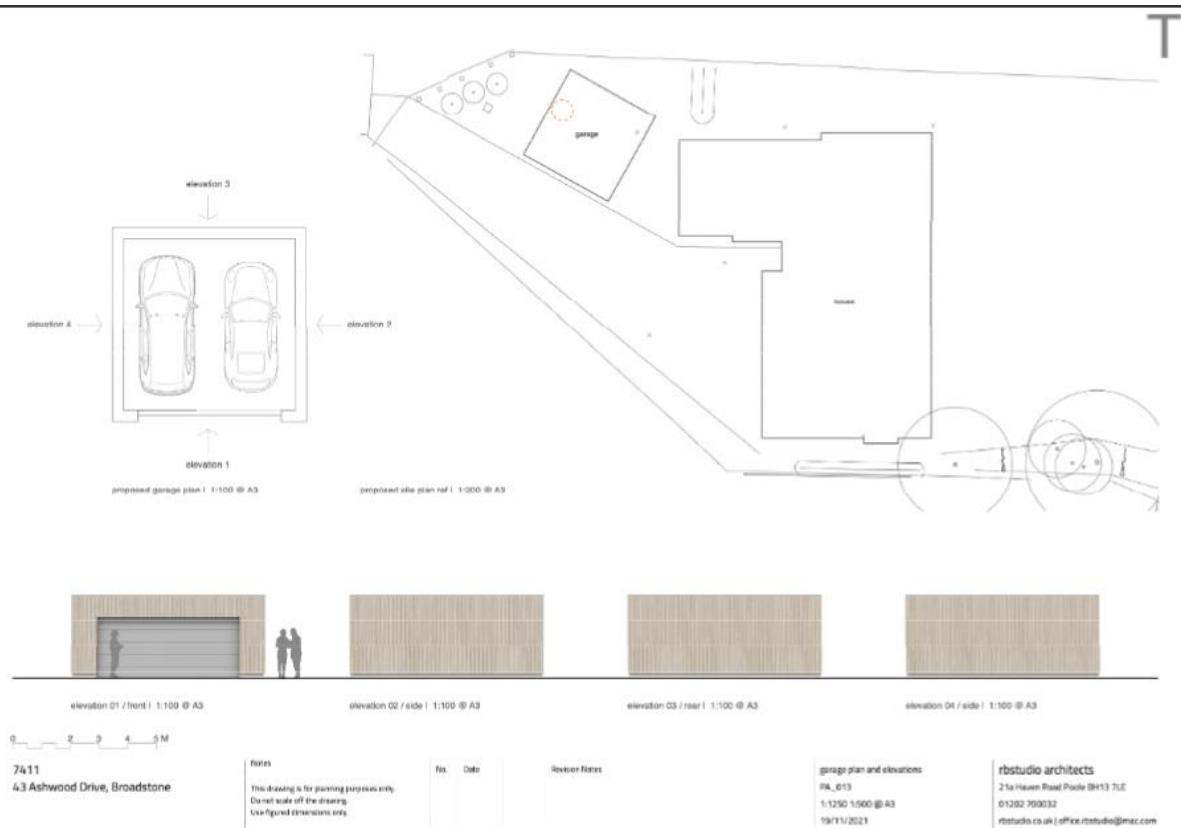
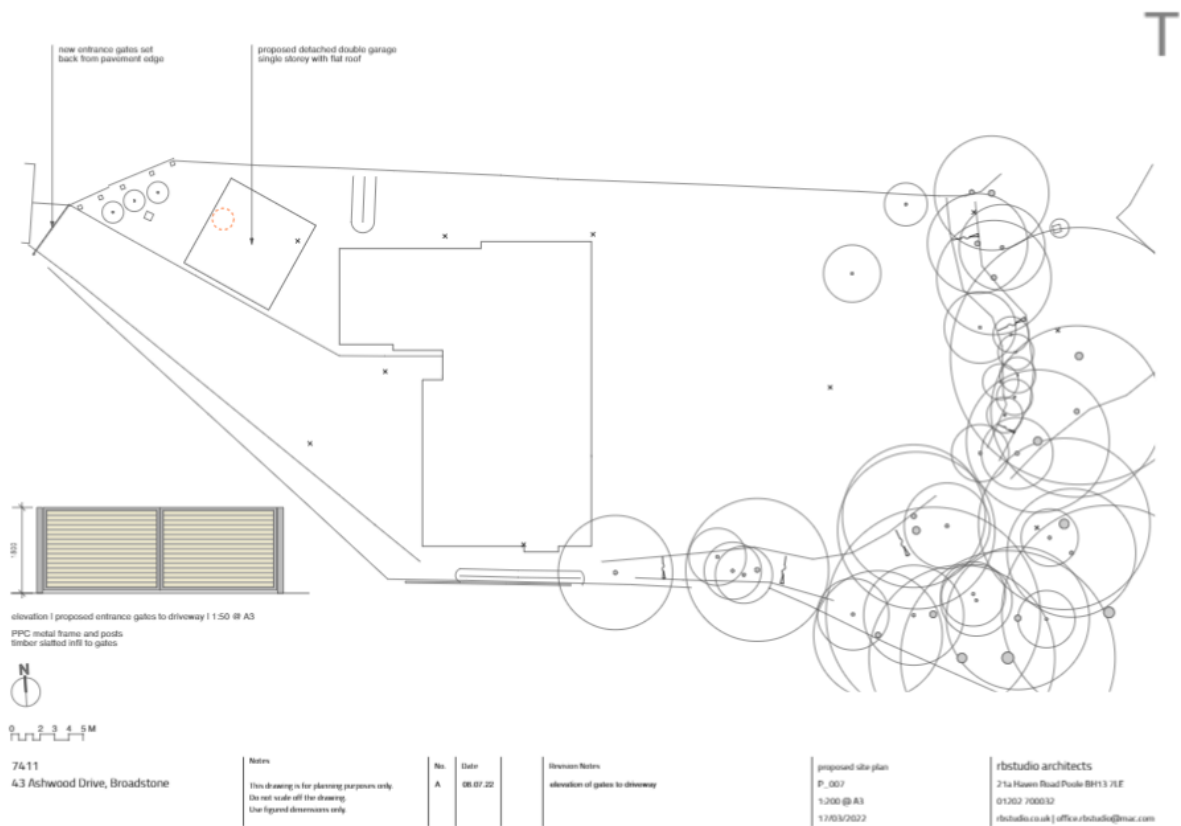
Revised Notes

street elevation
PA_014
1:100 @ A3
19/11/2021

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Planning Committee

Application Address	28 Harbour View Road, Poole, BH14 0PE
Proposal	Loft conversion with dormer
Application Number	APP/22/00977
Applicant	Mr and Mrs Samuel Smith
Agent	Tip Top Plans LLP
Ward and Ward Member(s)	Parkstone- Councillor Steve Baron & Councillor Ann Stribley
Report status	Public Report
Meeting date	20 October 2022.
Summary of Recommendation	Grant with conditions
Reason for Referral to Planning Committee	<p>Referral by Cllr Baron for the following reasons :-</p> <ol style="list-style-type: none"> 1. No square meterage has been given; please can this be provided. 2. No 3D modelling to show height, scale and bulk, please can this be provided. 3. No evidence that the height will not exceed the existing roofline and footprint as no dimensions were given. 4. Neighbour objected on grounds of loss of light and loss of privacy in their garden by this development of site - no comment or consideration has been made by the applicant or the council on this planning matter. They will be directly overlooked into their garden by both the proposed dormer and loft conversion on the North facing side. Instead of the elevation proposed for what appears to be a proposal for a 7th bedroom ensuite, neighbour requested the applicant installs a Velux window within the existing side roof elevation to the North side. This would be in addition to the already existing 6 bedrooms, 5 bathrooms including an Annexe. This planning consideration has not been addressed or commented on.

	<p>5. Side facing dormer which would be out of character with the other properties.</p> <p>6. Neighbour is concerned that the plans are not drawn by an architect</p>
Case Officer	Julie Shearing

Executive Summary

The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Representations received

2 objections were received on behalf of 2 individual addresses objecting to the proposal. One of these was later withdrawn when the Applicant offered to obscure glaze the side facing window in the dormer. A summary of the objections have been provided within the consultation section of the report.

Principle of Development

The proposal is for a householder development to allow for a loft conversion with a dormer window to the side elevation. The property is located within an urban area and is not located within any designated areas. Overall, the principle of the development is acceptable.

Design, Scale and Appearance

The proposal is for a loft conversion with modest sized dormer window to the side of the dwelling facing No 30. The rooflights are existing. The proposal is subservient to the main property and in keeping with its existing scale, form and character. The proposed dormer will be visible in the streetscene but will have a minimal impact upon it.

The scheme has an acceptable impact on the character and appearance of the area.

Impact on Residential Amenity

Due to the comparatively modest nature of the proposal, with obscure glazing to the window within the dormer, it is considered to have an acceptable impact on the living conditions of neighbouring properties. The rooflights already exist in the roof. No views will be available from the dormer window, and it is not considered to cause a loss of light or overlooking to any neighbouring property.

Description of Proposal

1. The proposal seeks planning permission for a loft conversion with a side facing dormer window. The existing rooflights will remain.

Description of Site and Surroundings

2. The application relates to a detached dwelling with off road parking and a garage. The site is located within a residential area with properties of varying design, but predominantly 2-storey detached properties.

Relevant Planning History

3. **11/12/2006:** Relief of condition 3 of planning permission 05/38216/000/F granted 13.03.05 for obscured glazing on the south elevation (as amended plan received 24th November 2006). (06/38216/001/F).
4. **13/05/2005:** Erect a 2 storey rear extension. As amended by plans received 10.03.05. (05/38216/000/F). **Grant with Conditions**

Constraints

5. None.

Public Sector Equalities Duty

6. 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

7. 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.
8. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

Consultations

9. None.

Representations

10. In addition to letters from neighbouring properties a site notice was posted outside the site on 4 August 2022 with an expiry date of 28 August 2022. 2 letters of objection from 2 addresses have been received. The objection comments are summarised below;

- Overshadowing;
- Overlooking;
- Loss of privacy;
- Requests dormer changed to rooflight;
- Upper level windows should be obscure glazed unless above 1.7 metres from the floor level;
- Overdevelopment;
- No 3d model to show height, scale and bulk;
- No evidence that height will not exceed existing footprint.

Key Issue(s)

11. The key issue(s) involved with this proposal are:

- Principle of development
- Impact on character and appearance of area
- Impact on neighbouring amenities

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

Policy Context

12. Local documents:

Poole Local Plan (Adopted 2018)

PP01- Presumption in favour of sustainable development

PP27- Design

National Planning Policy Framework

Section 2 – Achieving Sustainable Development

Paragraph 11 –

“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

Principle of development

- 13. The application site lies within the urban area. Officers have not been able to identify any permissions or Article 4 directions removing permitted development rights at the property and therefore the property enjoys the usual permitted development rights to extend and alter the property without the need for planning permission. The principle of extending the dwelling is acceptable.

Impact on character and appearance of area

- 14. Policy PP27 of the Poole Local Plan (2018) states that development will be permitted where it reflects or enhances local patterns of development in terms of layout, height, scale, massing, materials, landscaping and visual impact.
- 15. Harbour View Road is characterised by predominantly 2- & 3-storey detached properties. There are a number of properties dormers within this road, mainly to the front of the properties. The proposed dormer to the side of the property is considered to be in keeping with the form, scale and design of the existing property and would not result in an incongruous addition to the dwelling. Due to its siting to the side elevation, it is not considered to be overly prominent and will have a minor impact on the streetscene. The resulting appearance of the property is considered acceptable, resulting in a minimal impact on the character of the area.
- 16. The proposal would include materials to match the existing dwelling. A planning condition ensuring all materials match that of the existing can be attached to the permission. The surrounding properties include a range of different materials.
- 17. The proposed development would therefore respect the character and appearance of the streetscene of Harbour View Road and is acceptable in accordance with Policy PP27 of the Poole Local Plan (2018)

Impact on neighbouring amenities

- 18. Policy PP27 outlines that development should not result in a harmful impact upon amenity for neighbouring residents in terms of overshadowing, loss of

light, loss of privacy and whether the development is overbearing or oppressive.

19. In terms of overlooking and loss of privacy, the window within the side facing dormer serves a stairwell and not principal accommodation and therefore would not result in a loss of privacy. It is also indicated as obscure glazed and this will preserve neighbouring privacy and can be secured by condition. Other windows are rooflights which are existing. It is not considered that they will result in any unacceptable levels of overlooking or loss of privacy.
20. The dormer is modest in nature, does not project above the roof of the property, and is not considered to result in any overshadowing, nor cause loss of light or appear overbearing or oppressive.
21. Overall, the proposal would not have any significant detrimental impacts upon the living conditions of neighbouring properties. The proposal is therefore in accordance with PP27 of the Poole Local Plan (2018).

Planning Balance

22. The proposed development is considered to not detrimentally impact the character and appearance of the surrounding area. It is considered to have acceptable impacts on neighbouring dwellings.
23. 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. 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 plan, received 18 July 2022, 22-743/007

Proposed elevations received 5 August 2022, 22-743/006B

Proposed ground and first floor plan, received 18 July 2022, 22-743/004

Proposed second floor and roof plan, received 14 September 2022, 22-743/05C

Reason -

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

3 Materials to match existing building

The materials and finishes to be employed on the external faces of the development shall match those of the existing building.

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 to dormer window

Both in the first instance and upon all subsequent occasions, the window located within the approved dormer on the North elevation and facing 30 Harbour View Road 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 unless it is 1.7 metres from the floor in which it is located.

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. 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.
 - in this case the application was acceptable as submitted and no modification or further assistance was required
 - in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified

- the application was considered and approved without delay

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.

Case Officer Report Completed

Officer: Julie Shearing

Date: Amended 3 October 2022

BLOCK AND LOCATION PLAN



Block Plan 1:200



Location Plan 1:1250





West - front elevation
@ scale 1:50



North - side elevation
@ scale 1:50



East - rear elevation



South - side elevation

EXISTING ELEVATIONS

PROPOSED ELEVATIONS



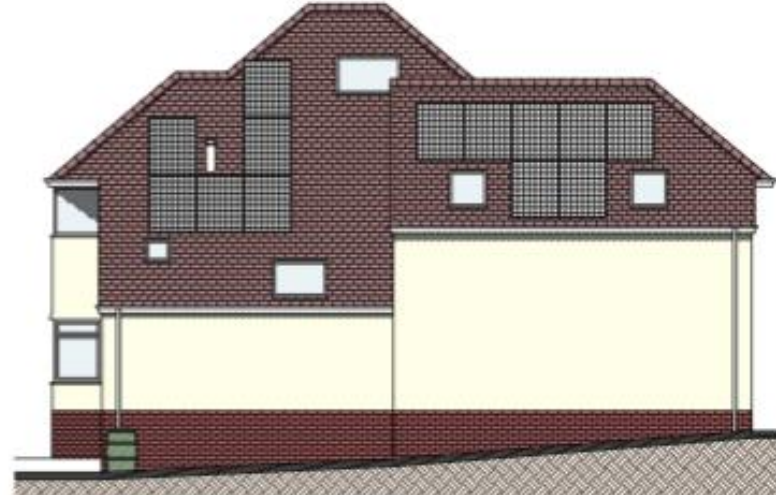
West - front elevation
@ scale 1:50



North - side elevation
@ scale 1:50

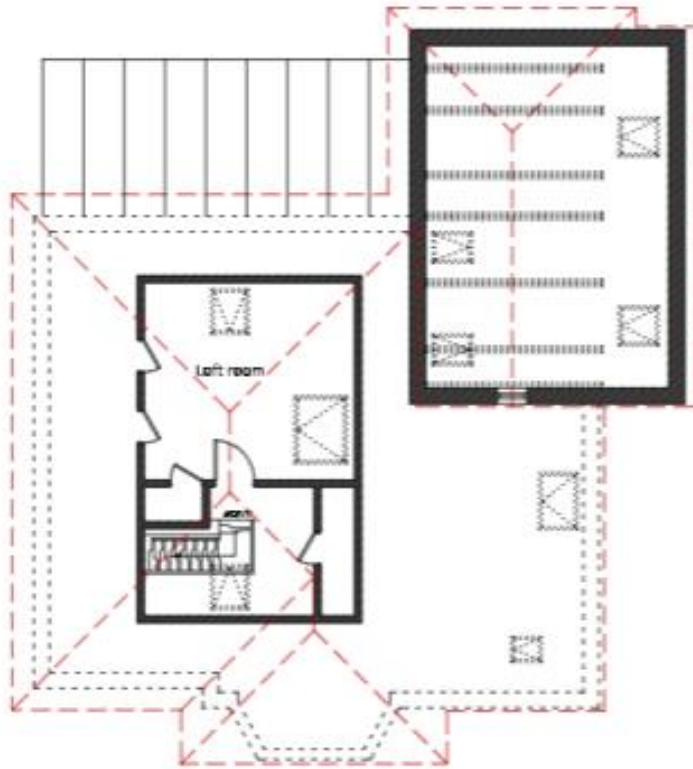


East - rear elevation
@ scale 1:50

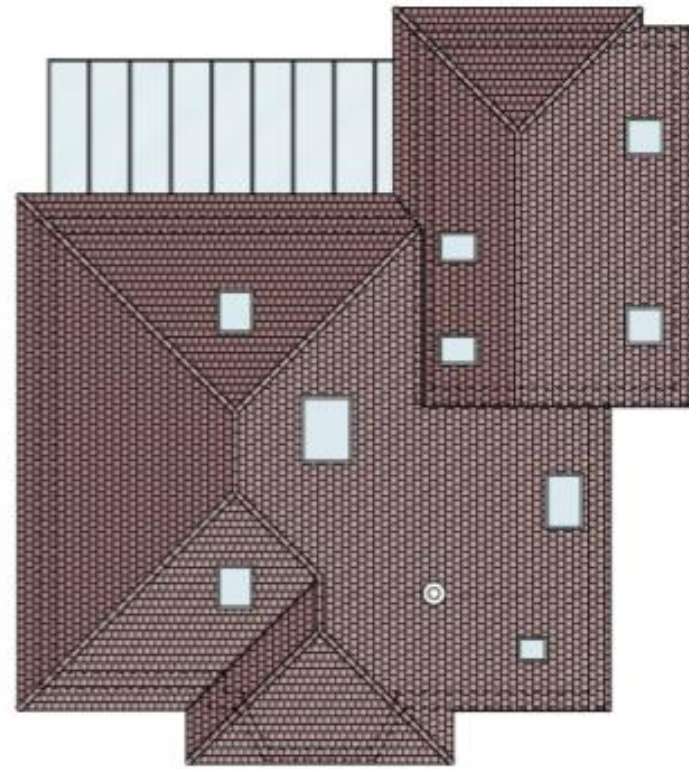


South - side elevation
@ scale 1:50

EXISTING 2ND FLOOR AND ROOF PLAN



Second floor
@ scale 1:50

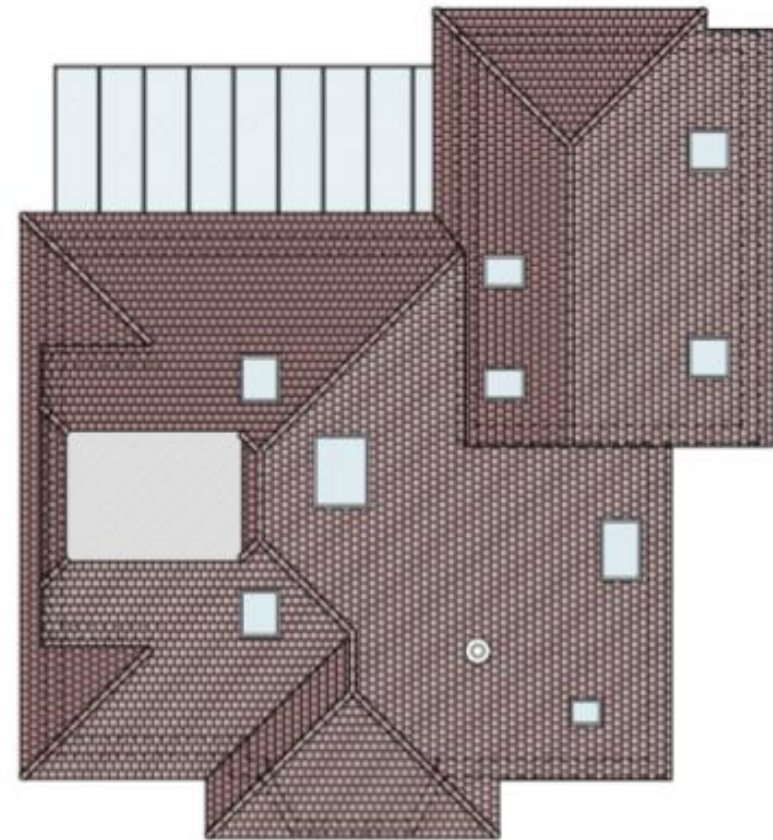


Roof plan
@ scale 1:50

PROPOSED 2ND FLOOR AND ROOF

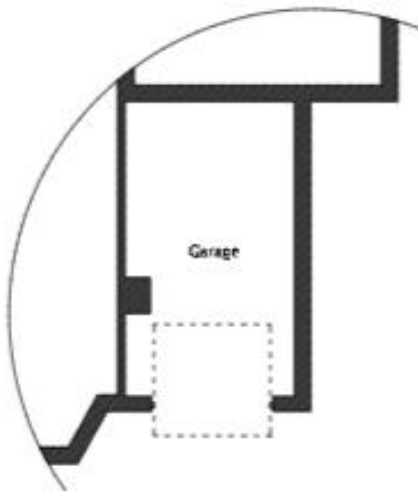


Second floor
@ scale 1:50



Roof plan
@ scale 1:50

EXISTING GROUND AND FIRST FLOOR PLANS



Lower ground floor
@ scale 1:50

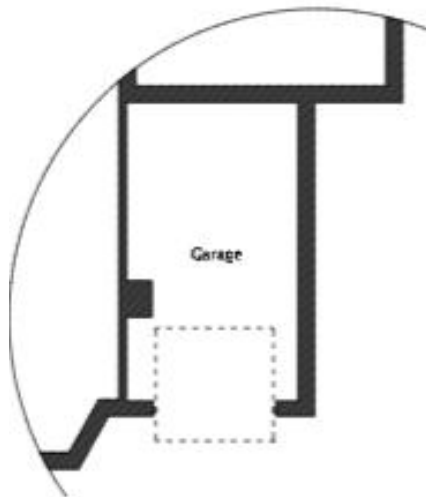


Ground floor
@ scale 1:50



First floor
@ scale 1:50

PROPOSED GROUND AND FIRST FLOOR PLANS



Lower ground floor
@ scale 1:50



Ground floor
@ scale 1:50



First floor
@ scale 1:50

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Planning Committee

Application Address	19 Mude Gardens Christchurch BH23 4AR
Proposal	Works to demolish and rebuild existing sunroom, including addition of balcony.
Application Number	8/22/0560/HOU
Applicant	Mr David Burrows
Agent	N/A
Ward and Ward Member(s)	Mudeford, Stanpit & West Highcliffe
Report status	Public
Meeting date	20 October 2022
Summary of Recommendation	Grant in accordance with the details set out below
Reason for Referral to Planning Committee	<p>Call in request by Councillor Lesley Dedman for the following reasons:</p> <p>The submitted plans are inaccurate (The size of the present conservatory is shown inaccurately, it is actually only 2450 not 2915. From 2450 to 3703 is a larger increase than 2915 to 3703 and gives a false impression of like for like).</p> <p>There will be total overlooking from the new balcony</p> <p>The application is too close to next, terraced, houses</p> <p>It is inaccurate to cite other balconies; there is one, on a corner plot</p> <p>This is out of place as a large addition in a terraced row of small family houses</p> <p>The undertaking that this addition will not be used for social purposes seems impossible to police</p>
Case Officer	Mufaweli Mubukwanu

Executive Summary

Summary of Key Issues

The key planning issues for Members to consider are set out below. Members will have to balance all the planning issues and objectives when making a decision on the application against policy and other material considerations.

Representations received

Objections have been received from 11 individuals objecting to the proposal. A summary of the objections has been provided within the consultation section of the report.

Principle of Development

The proposal is for a householder development to allow for a single storey rear extension to provide enlarged living accommodation with balcony above. The proposed first floor balcony to the south east (rear) elevation will face river Mude. The property is located within an urban area and is not located within any designated area although Mudeford Quay Conservation Area is located adjacent to the rear boundary with the bank of River Mude. Overall, in principle there is no objection to the proposed development.

Design, Scale and Appearance

The proposals would see the addition of a single storey rear extension to this two storey 1960/70's end terraced dwelling in complimentary materials. In addition, a rear balcony will be introduced at first floor level with 1.8m high obscure glazed screening on either side of the balcony. The depth of the proposed rear extension will be 3.7m from the rear wall of the original dwelling and retain a rear garden with a depth of 8m. The balcony will span the full width of the rear elevation with a depth of 1.8m from the rear wall serving bedroom 1 and 2 at first floor level.

The proposed development will not be visible on the public realm and is screened by trees to the rear which are within the Mudeford Conservation Area. Amended plans were provided removing the incorrectly annotated depth of the existing conservatory as well as in response to the Tree Officers comments.

A rear balcony exists at number 1 Mude Gardens and planning permission for a similar scheme is extant at number 5 Mude Gardens. The scheme has an acceptable impact on the character and appearance of the area.

The site lies outside of the Mudeford Quay Conservation Area. The scheme has an acceptable impact on the setting of the Conservation Area.

Impact on Residential Amenity

The properties in the terrace have a variety of single storey rear extensions/conservatories of varying depths. The introduction of the rear balcony will have

some impacts on neighbouring privacy in their rear gardens in particular no 17 Mude Gardens. However, the rear building line of the application property and no 17 is in line as such views into their gardens are not restricted. The proposed privacy screens, however, will restrict views directly into adjacent properties, to acceptable levels.

Impacts on light and overshadowing on neighbouring property have been assessed and considered acceptable. The proposed balcony will serve 2 rear facing bedrooms at first floor level. It is considered that the noise levels related with residential use will be typical and would not result in harm to the living conditions of neighbouring properties.

Transport Considerations

Adequate parking provision is retained to the front of the property as such no impact are anticipated on existing parking provision.

Flood Risk and Drainage

The site is located within Flood Zones 2 and 3. The submitted Flood Risk Assessment states that floor levels will be no lower than existing. This is considered acceptable.

Contaminated Land

The site is within the vicinity of a former farm site where records that various potentially contaminating land uses were present prior to the redevelopment of the site to its current use. Environmental Health recommend a standard contaminated land condition is appropriate.

Impacts on Trees

Mature trees to the river are covered by TPO, there are no trees within the application site. However, a tree exists in the rear garden of no 21 Mude Gardens and is not covered by TPO but is considered to be of importance to the amenity of the area. In this regard the relevant condition would be required to ensure that the root protection area is safeguarded should planning permission be granted.

Description of Proposal

1. Planning permission is sought for this two-storey end of terrace property for works to demolish the existing sunroom/conservatory and erect a single storey rear extension to provide enlarged habitable accommodation. In addition, a balcony is proposed above the single storey rear extension with privacy screens on either side. The proposals will result in a change in the footprint of the building and would increase the depth of the existing rear conservatory from approximately 2.45m to 3.7m.

Description of Site and Surroundings

2. The application site is within an urban area on the fringe of Mudeford Conservation area and forms part of a terraced development of two-storey houses, the application dwelling being an end of terrace property. The river Mude runs along the rear boundaries of this block of terraces, the river on this section forms part of the Mudeford Conservation Area.
3. The development has unusual frontages with detached garages to the front of the houses with parking and open frontages. The front and rear building lines of this block of terraces is staggered with nos. 17 and 19 being set forward from the rest of the terrace block.
4. The property occupies a relatively narrow rectangular plot to the rear consistent with neighbours and extends down to river Mude to the east. The front part of the plot is of unusual shape and extends to the boundary with no 21. The rear garden is within Flood Zones 2 and 3 with mature trees to the rear i.e beyond the curtilage of the host dwelling protected by TPO.
5. The property at no.1 has a side and rear balcony visible on the public realm. Planning permission was granted to no.5 (8/18/1988/HOU) which included a single rear extension with balcony above. This permission is extant.

Relevant Planning History

6. 8/18/1988/HOU Demolition and replacement of entrance porch to include shower room and utility. Ground floor rear extension with balcony above. Addition of port hole windows to garage – Granted (5 Mude Gardens)
- 8/08/0666 First Floor pitched roof side extension over existing ground floor element – Granted (1 Mude Gardens)
- 8/88/0744/F Alteration to dwellinghouse to provide granny annexe – Granted (1 Mude Gardens)
- 8/86/0567/F Alterations and additions to dwellinghouse, private garage and 2m high boundary wall – Granted (1 Mude Gardens)

Constraints

- Conservation Area
- Flood Zone 2 current
- Flood Zone 3 current
- FZ3a 30cc 2093
- FZ3a 40cc 2133
- Contaminated Land - Medium Risk
- Tree Preservation Order
- Tree Preservation Order

Public Sector Equalities Duty

7. 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

8. 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.
9. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

Consultations

10. **Christchurch Town Council** – No comments received

BCP Trees & Landscaping – Recommends conditions in relation to tree protection and services

BCP Environmental Health – Recommends condition in relation to contaminated land

Representations

11. In total 11 Objections have been received in relation to the proposal, raising the following points:
- the balcony aspect which has such a detrimental effect on the neighbours and makes their gardens unusable with the loss of privacy
 - balcony with railings would stick out and leave no privacy for the direct neighbours and also for quite few properties in Mude Gardens and I object to that quite strongly.
 - I feel that a balcony would lead to a loss of privacy, but I have no objection to the extension per se.
 - Whilst we have no objections to the sun lounge replacement we do object to the addition of a balcony, which will be intrusive to other

neighbours and is totally out of character with the adjacent properties in Mude Gardens.

- Incorrect dimensions of existing conservatory in respect of it's depth
- Unacceptable depth of proposed extension
- Unacceptable overlooking in particular to the garden of no. 17
- Overbearing effect of glazed privacy screen to bedroom window at no. 17
- Incorrect statement that rear balconies exist on this part of Mude Gardens
- Anti-social behaviour
- the balcony will intrude on the privacy of neighbours, and have an impact on the light in the garden/property
- Out of keeping with adjacent properties
- Noise pollution
- Will set precedence
- Loss of outlook
- Excessive height
- Proposed development contrary to Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 – Core Strategy as it fails to be compatible with or improves the relationship with nearby properties and will adversely harm neighbouring amenities
- Further comments received on 19/09/2022 on revised plans reiterating the inaccuracies in information provided as such original objection stands.

Key Issue(s)

12. The key issue(s) involved with this proposal are:

- Impact on the character and appearance of the site and wider area
- Impact on the setting of the Conservation Area
- Impact on neighbouring amenities and privacy
- Impact on Flood Risk
- Parking Provisions and Highway Safety

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

Policy Context

14. Local documents:

KS1	Presumption in favour of sustainable development
KS11	Transport and Development
KS12	Parking Provision
HE1	Valuing and Conserving our Historic Environment
HE2	Design of new development
ME6	Flood Management, Mitigation and Defence

H12 Residential Infill
BE5 Setting of Conservation Areas

15. **Supplementary Planning Documents:**

BCP Parking Standards – SPD (2021)

16. **National Planning Policy Framework (2021)**

Section - Achieving Sustainable Development

Paragraph 11 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.”

17. The following chapters of the NPPF are also relevant to this proposal:

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Planning Assessment

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

18. The proposal would see an increase in the depth of the extension from the original rear wall of the dwelling to approximately 3.7 metres and eaves height of 2.8 metres and would span the full width of the host dwelling. The current eaves height stands at 2.63 metres, an increase of 0.17 metres. The proposals would see an increase in the floor area of the existing conservatory from circa 17.23 square metres to circa 20.77. There is a variety of later rear additions to the properties in the terrace and the proposed depth of 3.7 metres from the rear wall of the dwelling is not considered to be excessive.

19. Amended plans were provided following comments of inaccuracy with the plans. The only noticeable change on the plans is the removal of the annotated scales. In respect of their accuracy the scale provided is as accurate as such provides the correct dimensions. The applicant has further confirmed that the plans are accurate as provided.
20. The proposal would replace the existing rear conservatory with a brick built rear extension and would introduce a usable balcony above with 1.8 metre high privacy screens on either side. It is noted that there's an existing side and rear balcony at number 1 Mude Gardens at the southern end of the terrace. In addition, 5 Mude Gardens was granted planning permission under 8/18/1988/HOU for a single storey rear extension with balcony above, similar to the current proposal. Following a site visit to Mude Gardens it was noted that some aspects of this permission have been implemented but not the rear extension and this permission is extant. Thus the proposal would not be out of keeping with the area.
21. Whilst the proposal would result in an increase in bulk, depth and height, this would not be visible within the street scene. As such the proposed development is considered to have acceptable impacts on Mude Gardens and character of the wider area. Furthermore, the proposals detail materials to be used would match those of the existing dwelling.
22. Overall, the proposal would respect the character and appearance of the dwelling and the street scene of Mude Gardens, therefore it is considered to be acceptable and in accordance with Policy HE2 of the Core Strategy.

Impact on adjoining Conservation Area

23. The application property is located in close proximity to Mudeford Quay Conservation Area with the site's rear boundary bordering the Conservation Area.
24. Paragraph 199 of the NPPF requires that '*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*'
25. Paragraph 200 of the NPPF also requires that '*Any harm to, or loss of, the significance of designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.*'
26. By virtue of the discrete siting to the rear of the property, the proposals are not visible in views from the Conservation Area. The scheme does not adversely affect the setting of the Conservation Area. The scheme results in less than substantial harm to the heritage asset. Applying the guidance in paragraph 202 of the National Planning Policy Framework (2021), this impact must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The scheme will facilitate the

ongoing use of the property as a dwellinghouse, and the public benefits in this case are considered to outweigh any impact to the heritage asset.

27. The proposal is considered to preserve the character of the Conservation Area and complies with policy HE1, HE2 and H12 of the Local Plan.

Impact on neighbouring amenities and privacy

28. During the course of the application, significant concerns were raised through representations received regarding the impacts the proposed development would have on neighbouring occupiers living conditions, through loss of light, loss of privacy, loss of outlook, overlooking and overbearing mainly from the proposed balcony.
29. The proposed introduction of the balcony will inevitably have some minor impacts on neighbouring properties. Numbers 17 and 21 are the most likely properties to be impacted upon. The rear gardens of these two properties can currently be seen from bedrooms 1 and 2 at first floor level of the application property.
30. Neighbouring property number 21 is set further forward of the application dwelling and has a larger irregular shaped long garden in comparison. There's a separation distance of about 13 metres from the rear wall of number 21 to the rear wall building line of the application property. The proposed 1.8 metre high privacy screen on the north elevation will restrict views into habitable accommodation of this neighbouring property. It is not considered that the proposed first floor balcony nor the height of the single storey rear extension will adversely impact on their living conditions.
31. The application site and neighbouring property number 17 have the same rear building line. It is noted that there are currently no rear extensions, it is accepted that the proposed single storey rear extension will be deeper than the existing and will have an increased eaves height. This increase will result in moderate impacts on the outlook but is not considered to have an overbearing impact that would result in oppressive living conditions of the occupiers of number 17.
32. The proposal includes the introduction of a 1.8 metre deep first floor balcony with a 1.8 metre high privacy screen on the south elevation. It is accepted that this would result in a minor impact on this neighbour's privacy towards the end of their rear garden but not at the immediate rear of the property. Views are currently achievable into the garden of this neighbour through windows in bedrooms 1 and 2. The addition of the privacy screen will restrict views into the rear garden. It is not considered that this would result in adverse impact on their living conditions arising from overlooking.
33. Due to the relationship with the adjoining neighbouring property number 17, the proposed privacy screen will be visible from a window serving a bedroom, with a minor impact to outlook from this room. The privacy screen will restrict views directly back into this property at both ground and first floor level as

such would maintain acceptable privacy levels within the rear facing rooms of this neighbouring property.

34. The rear gardens of this block of terraces are south-east facing, as such the overall height of the proposed development as such would not result in loss of sunlight to neighbouring properties to the detriment of their living conditions.
35. A number of objections have been raised in respect of anti-social behaviour including noise pollution in respect to the use of the proposed balcony. However, the proposal needs to be considered on the basis of typical residential use which is inherently neighbourly. There are no grounds to contend that this proposal would result in any anti-social behaviour/noise that would be any different to any other dwelling and its garden. There is separate legislation to control anti-social behaviour.
36. The proposals are considered to comply with Policy HE2 and H12 of the Local Plan and found to be compatible with its surroundings.

Parking provisions and highway safety

37. The proposals would maintain off road parking currently on site. The house alterations would not result in increased parking demands. The proposals therefore comply with Policy KS11 and KS12 of the Local Plan.

Impact on flood risk

38. The site is located within flood zones 2 and 3 and within future flood zone 3a for 2093 to 2133.
39. Paragraph 167 of the NPPF requires that: *'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*
 - a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
 - d) any residual risk can be safely managed; and*
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'*

40. Paragraph 168 excludes some minor applications, including householder applications from the requirement to complete the sequential and exception tests although a site specific FRA is required.
41. A FRA has been submitted stating that the finished floor levels in the extension will be set no lower than those in the existing building, and flood resistance and resilience measures shall be incorporated where appropriate.
42. The proposal is considered to comply with Policy ME6 of the Core Strategy.

Planning Balance/Conclusion

43. The proposal would respect and preserve the character and appearance of the surrounding area. Neighbouring amenity and privacy would be preserved.
44. The proposal would be discretely located and will be only partially visible from the street scene. There will be no material harm on the setting of the Mudeford Conservation Area.
45. The proposed development is considered to have an acceptable impact on the character and appearance of the surrounding area. The proposal is considered to respect residential living conditions and to preserve privacy of neighbouring properties. It is not considered the proposal would result in material harm by way of loss of sunlight, overbearing or loss of outlook/overshadowing and would not impact on parking provisions/highway safety.
46. It is considered the proposal complies with the Development Plan as a whole and is in accordance with the relevant up to date Development Plan Policies and is sustainable development which as per paragraph 11 c of the NPPF means that it should be approved without delay.
47. In reaching this decision the Council has had due regard to the statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that *'with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'*

Recommendation

Grant, subject to 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: PLN_100 Rev A, PLN_101 Rev A, PLN_102 Rev A, PLN_210 Rev B, ELE_300 Rev A and ELE_301 Rev A.

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. In the event that unexpected contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and further development ceased. An investigation and risk assessment must be undertaken in accordance with the Environment Agency "Land contamination risk management (LCRM)" procedures and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme recommencing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Prior to the approved balcony first being brought into use, the proposed obscure glazed privacy screens as shown on the approved plan ELE_301 Rev A shall be installed and thereafter retained.

Reason: In the interests of the privacy of the adjacent properties.

6. The development hereby approved shall be carried out in accordance with the submitted plan entitled 'Site Plan' ref: PLN_102 Rev A, dated Aug 2022, nothing shall be stored or placed in any area other than as indicated on the plan and fencing shall be maintained until the development has been fully completed, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the TPO 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.

7. Notwithstanding details already submitted, full plans and particulars showing the final siting of the services and soakaways shall be submitted to and approved in writing by the local planning authority and these works shall be carried out in accordance with the approved plans and particulars.

Reason: To ensure that the neighbouring tree, its rooting environment is afforded adequate physical protection during construction.

Informatives

1. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.
2. For the avoidance of doubt, the applicant(s) are advised that this planning permission does not convey the right to enter land or to carry out works affecting or crossing the boundary with land which is not within your control without your neighbour's consent. This is, however, a civil matter and this planning consent is granted without prejudice to this.

Background Documents:

Case file: 8/22/0560/HOU: For full details of all papers submitted with this application please

refer to the relevant Public Access pages on the Councils website.

Case Officer Report Completed:

Officer: Mufaweli Mubukwanu

Date: 06/10/2022

Agreed by:

Date:

Comment:

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A	Planning Submission	July 2022	FB	SJ	
Rev	Description	Date	By	Chkd	

PLANNING



Site Block Plan 1:200 @ A3

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Aerial View

- ① Approximate position of temporary material storage and preparation during proposed works, on existing grassed area, accessed from driveway.
- ② Cement and concrete mixing to be carried out as far as possible from trees, over a suitable impermeable surface to prevent soil contamination.
- ③ There is an existing boundary fence protecting the majority of the ground below the crown spread of the large tree (located in adjacent garden).
- ④ An existing brick garden wall forms part of the the boundary between the two properties. It is assumed that the foundations for this wall will have reduced tree root spread in the area of the proposed re-build.
- ⑤ Existing incoming utilities supplies are located at the front of the property, clear of the tree. Where possible, it is intended to utilise the existing below-ground surface water drainage at the rear of the property. If, upon further investigation, it becomes necessary to replace elements of the existing drainage system, it is anticipated that any soakaways and pipe runs will follow the existing routes to avoid unnecessary excavations.

/// Approx extent of crown spread
— Site Boundary

A	Planning Submission	Aug 2022	FB	SJ
Rev	Description	Date	By	Chkd

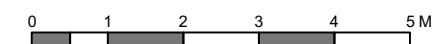
19 Mude Gardens
Mudford, Christchurch
Works to Rebuild Existing Sunroom

Site Plan

1:200 @ A3

PLN_102 Rev A

PLANNING



19 Mude Gardens
Mudford, Christchurch
Works to Rebuild Existing Sunroom

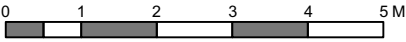
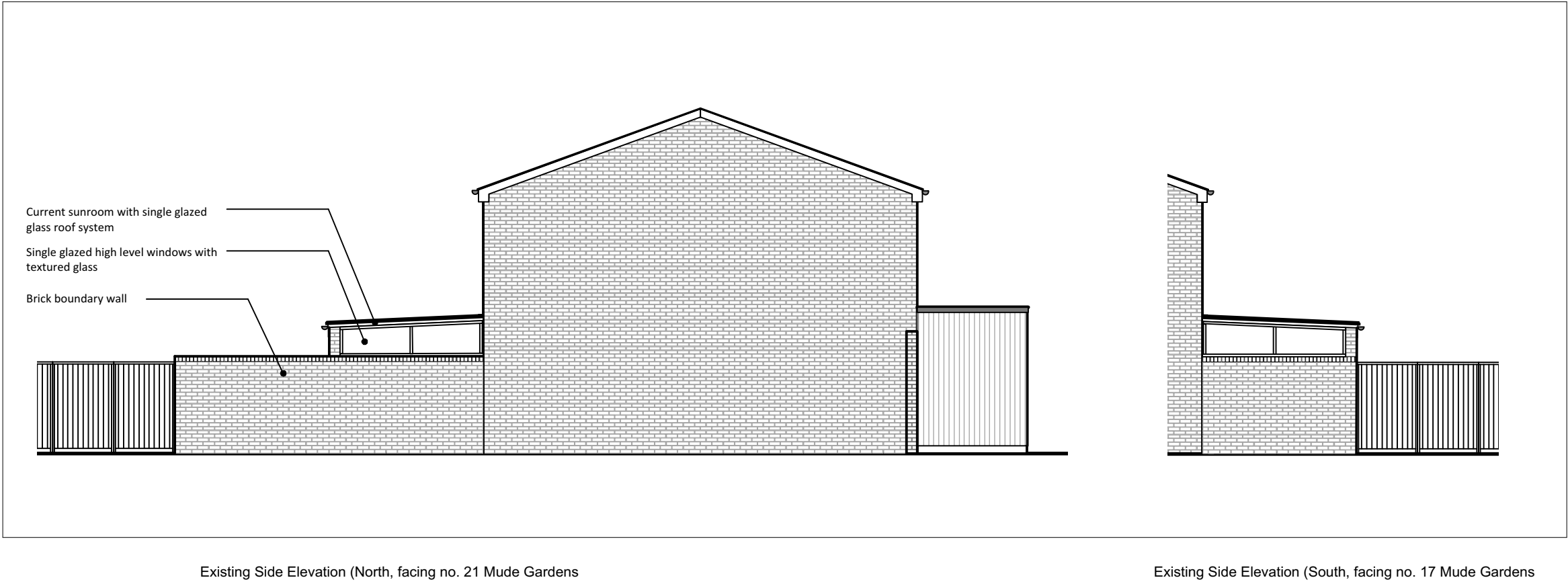
Existing Floor Plans

1:100 @ A3

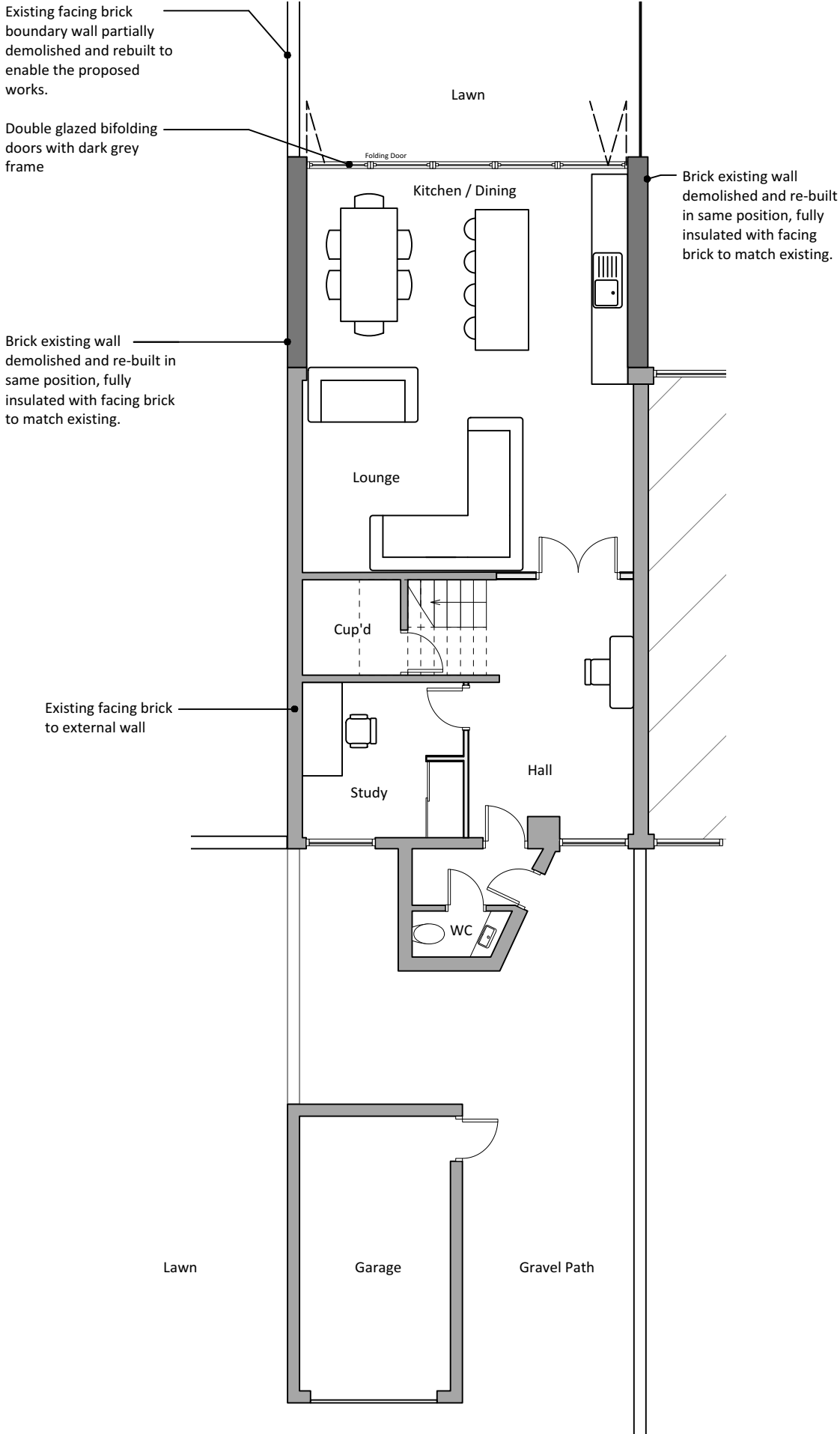
PLN_200

Rev A

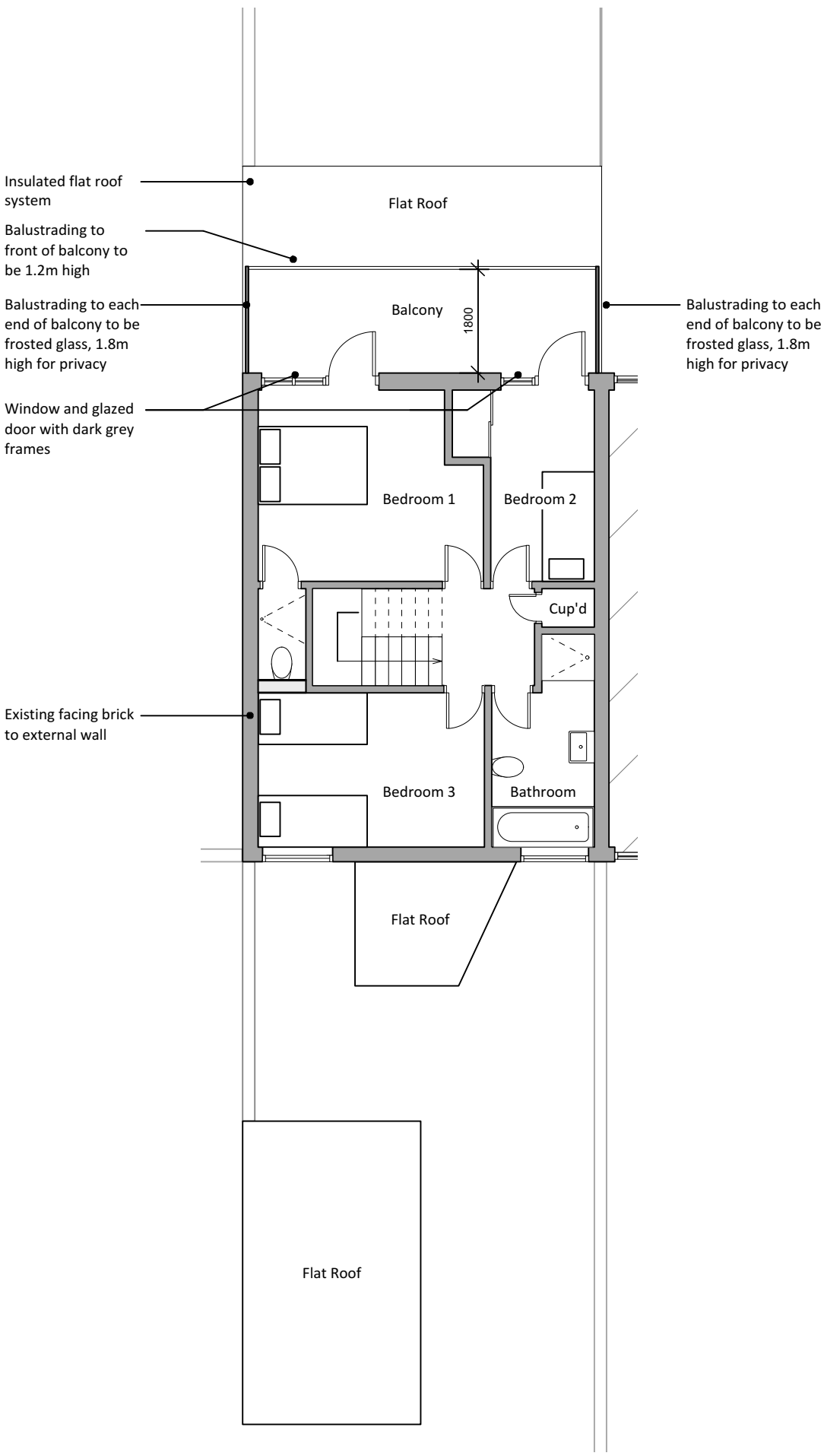
PLANNING



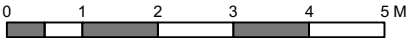
A	Planning Submission	July 2022	FB	SJ
Rev	Description	Date	By	Chkd



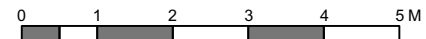
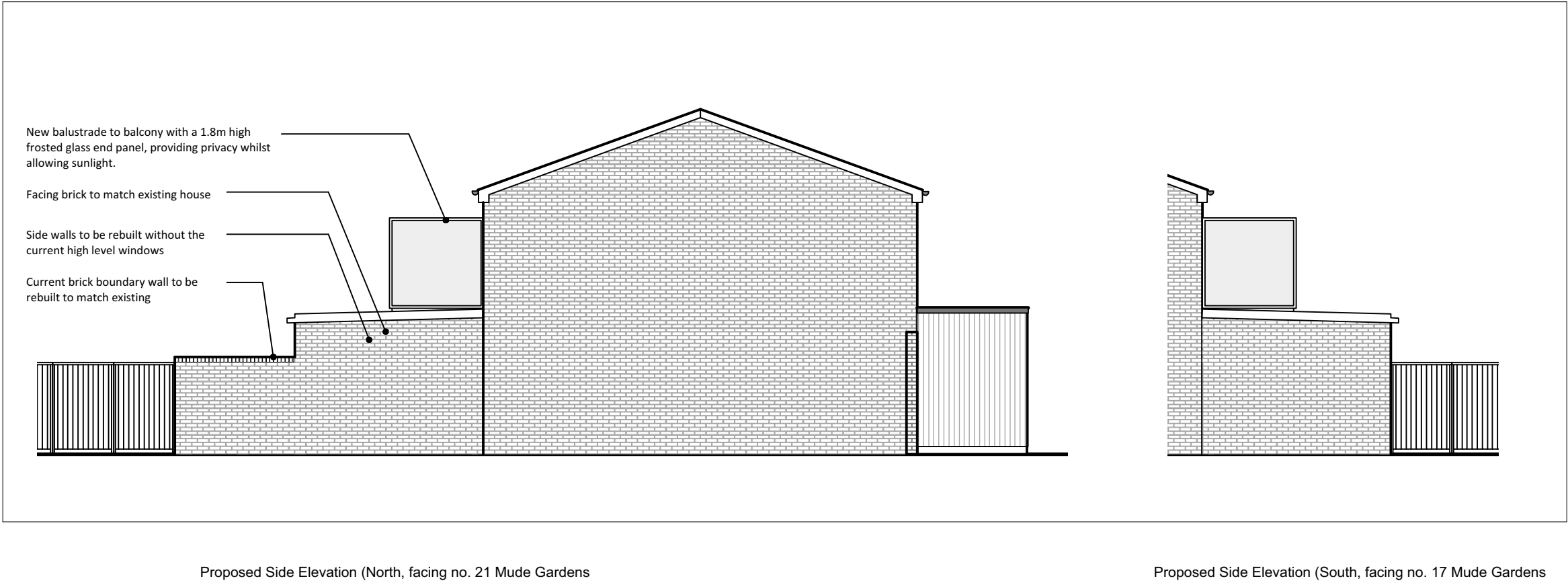
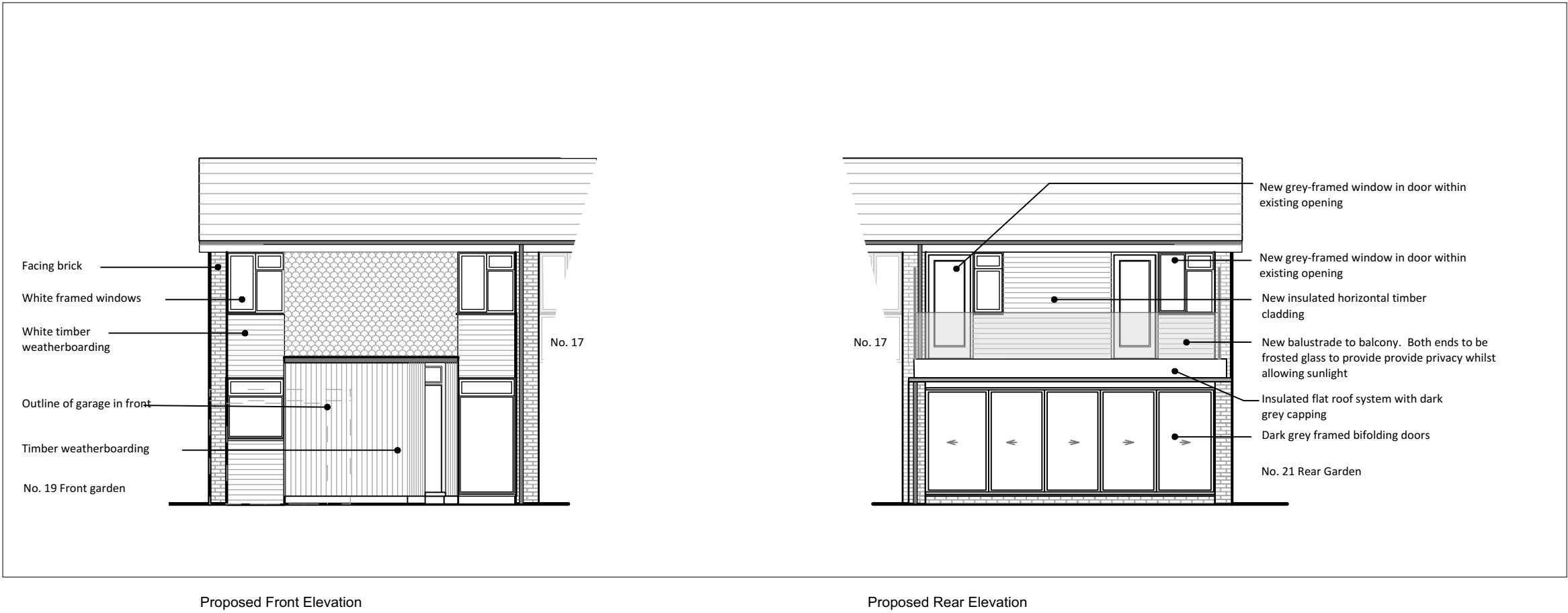
Proposed Ground Floor Plan



Proposed First Floor Plan



B	Annotation revised to clarify	Aug 2022	FB	SJ
A	Planning Submission	July 2022	FB	SJ
Rev	Description	Date	By	Chkd



A	Planning Submission	July 2022	FB	SJ
Rev	Description	Date	By	Chkd