

# Notice of Planning Committee



Date: Tuesday, 4 October 2022 at 10.00 am

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

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## 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

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

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

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MIId=5519>

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

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

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

GRAHAM FARRANT  
CHIEF EXECUTIVE

26 September 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](mailto:susan.zeiss@bcpcouncil.gov.uk))

### Selflessness

Councillors should act solely in terms of the public interest

### Integrity

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

### Objectivity

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

### Accountability

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

### Openness

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

### Honesty & Integrity

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

### Leadership

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

# AGENDA

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

## 1. Apologies

To receive any apologies for absence from Members.

## 2. Substitute Members

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

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

## 3. Declarations of Interests

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

Declarations received will be reported at the meeting.

## 4. Public Issues

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.

## **5. Schedule of Planning Applications**

To consider the planning applications as listed below.

See planning application reports circulated, as updated by the agenda addendum sheet to be published on the day before the meeting.

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

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

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

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

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



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

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

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

- |    |   |         |
|----|---|---------|
| a) | <b>13-15 High Street, Poole, BH15 1AB</b><br>Poole Town Ward<br><br>APP/21/01199/F<br><br>Redevelopment of the site to form 40 apartments and 424sqm of commercial space, following partial demolition of existing buildings. | 19 - 60 |
| b) | <b>29 Cynthia Road, Poole, BH12 3JE</b><br>Newtown and Heatherlands Ward<br><br>APP/22/00230/F<br><br>Sever land, demolish existing buildings and erect 3 No 2 bed houses with parking.                                       | 61 - 86 |

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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## 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](mailto: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](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	<b>13 – 15 High Street, Poole, BH15 1AB</b>
Proposal	Redevelopment of the site to form 40 apartments and 424sqm of commercial space, following partial demolition of existing buildings
Application Number	APP/21/01199/F
Applicant	Shore Holdings
Agent	Mr Giles Moir, Chapman Lily Planning
Ward and Ward Member(s)	Poole Town Councillors L-J Evans, Andy Hadley and Mark Howell
Report status	Public Report
Meeting Date	4 October 2022
<b>Recommendation</b>	<b>Grant subject to S106 and Conditions</b>
Reason for Referral to Planning Committee	Due to the number of objections (52 objections)
Case Officer	Hannah Wild

## **Executive Summary**

The site is located within Poole Town Centre and within the Town Centre Heritage Conservation Area. The site has two frontages, one which runs along High Street along its north-western boundary, and the other which is situated to the south which borders Strand Street.

The site is currently occupied by a three-storey townhouse building and a single storey shop unit that front onto the High Street; both buildings are locally listed. In the centre of the site is a two-storey former warehouse building, which is positioned horizontally across the plot and parallel with the High Street. Along High Street frontage, there is a gap within the street scene at No. 15 where the building was demolished.

The High Street is largely commercial in character comprising shops and other business type uses. In contrast, Strand Street is largely residential with apartments located directly south of the proposed development.

### Impact on character and appearance of the area

The application was originally submitted in 2021 and included a larger development in terms of units and overall scale. The application has been revised through the process to reduce the overall scale of development to that now subject of this report. The height of the development now ranges between 3 and 4 storeys (reduced from up to 6 storeys when first submitted), which is considered to be at appropriate scale to assimilate successfully with its surrounds and overall character of the area.

The scheme proposes to retain and reuse the majority of the locally listed buildings on the development. Internally, the buildings are proposed to be modified to be able to be used in a modern setting for larger retail units. The applicant has used materials which link to the conservation area and elements of neighbouring units throughout the design of the development. Along the High Street, the shop fronts will display a traditional timber design with timber doors and windows in keeping with what can be seen in the conservation area at present.

### Poole Town Centre Strategy

The scheme incorporates retail and residential uses to the local area, creating a sustainable location for mixed use development, whilst enhancing Poole Town Centre Heritage Conservation area. The development also provides an active frontage to High Street.

### Residential and Neighbouring Amenities

The apartments include 29 x 1-bedroom apartments, and 11 x 2-bedroom apartments. There will be outdoor landscaped space which will be subject to a landscaping plan via condition to fully implement the design.

### Parking and highway safety

Vehicle access for servicing will be taken from the High Street. The site offers no parking spaces (in accordance with the Parking SPD), however, offers two bike store areas across the development with the capacity to store over 100 bikes.

### Heritage

The proposal seeks to inject new life into the locally listed buildings on the site alongside the new development. The design approach proposed is considered to take a sensitive approach to the site representative of its location in the Old Town of Poole within the Conservation Area. PP30 requires development to protect and enhance heritage assets such as Conservation Areas. It is recognised that the design approach will have positive heritage benefits arising from the re-instatement of the historic form of the High Street (by filling in the gap from the former No.15 High Street) along with an overall sensitive design approach. It is acknowledged that the Council's Conservation Officer objects to the proposal as it would give rise in their view to less than substantial harm. As required by the NPPF, consideration should be given to whether there are public benefits that exist that would override less than substantial harm. In this case, the public benefits of delivering residential development in a context where there is a housing land supply shortage in Poole, and the inclusion of new retail floorspace in a key shopping part of the town are considered to outweigh any less than substantial harm identified.



## Flood Risk

The Environment Agency (EA) originally objected to the proposals as the Flood Risk Assessment had not adequately demonstrated the development would be safe from flood risk for its lifetime as required by development plan and national planning policy. However, revised plans have been submitted that demonstrate that the finished floor levels of the development will be no lower than 3.1m no lower than 3.1m AOD with flood resiliency up to 3.7m AOD. This accords with the requirements of the EA, who subsequently removed their objection in a further consultation response dated 9<sup>th</sup> September 2022. Suitable conditions related to flooding and drainage are proposed in this report.

## Infrastructure and developer contributions

The contributions required from this scheme are stated below:

- Heathlands SAMM - £11,508 incl admin
- Harbour SAMM - £4,099.20 incl admin
- CIL - £144,385.55

## Accessibility

The proposals for this development incorporate a lift into the plans and the building would be accessible for all.

## **Description of Proposal**

1. Planning permission is sought for the redevelopment of the site to form 40 apartments and 424sqm of commercial space, following partial demolition of existing buildings.
2. The proposals will develop the site from an existing commercial yard and retail to a mixed use of residential and commercial uses. The proposed flats will be located above the commercial spaces, in two residential buildings. One of the buildings will secure the partial restoration of the warehouse building in the centre of the site, and the other would be a new purpose build residential building.

## **Description of Site and Surroundings**

3. The site is located within Poole Town Centre and within the Town Centre Heritage Conservation Area. The site has two frontages, one which runs along High Street along its north-western boundary, and the other which is situated to the south which borders Strand Street.
4. The site is currently occupied by a three-storey townhouse building and a single storey shop unit that front onto the High Street; both buildings are locally listed. In the centre of the site is a two-storey former warehouse building, which is positioned horizontally across the plot and parallel with the High Street. Along High Street frontage, there is a gap within the street scene at No. 15 where the building was demolished.
5. The High Street is largely commercial in character comprising shops and other business type uses. The architectural style of this area differs from traditional units to units where a more contemporary design can be seen. The majority of units do not exceed three-storeys in height. To the west of the site are cafes and retail units, with

Poole Museum being located across the street. A similar architectural style can be seen here as the north west. In contrast, Strand Street is largely residential with apartments located directly south of the proposed development.

6. The Quay has a range of mixed use buildings generally at 4 storeys in height. Along The Quay, units are largely restaurants, with few retail units scattered in between.
7. Finally, to the east of the site, the units are largely residential, and office uses, with retail units continuing in a north easternly direction up High Street. These buildings differ from the traditional architectural style used along High Street and show a more modern and contemporary style, however blend well into the area.
8. The site is located within the town centre, which the most sustainable part of the Poole area.

### **Relevant Planning History**

9. **APP/17/00245/P** - Outline application for the redevelopment of 13-15 High Street, retaining the facades to No. 13 High Street and providing 38 flats in two blocks (A and B) with a restaurant on the ground floor of Block A fronting High Street.

Application withdrawn 30<sup>th</sup> April 2020.

10. **APP/19/00581/F** - Demolition of existing building and erection of a building retaining an A1/A2 retail unit on the ground floor and 4 residential flats above with associated access and parking. 17 High Street, Poole, BH15 1AB

Application approved 4<sup>th</sup> July 2019.

### **Constraints**

11. The site is located within the Poole Town Centre Heritage Conservation area. This area is currently on Historic England's 'Heritage at Risk' register and is classed as being in 'very bad condition', however it is seen as currently improving due to recent investment including from Historic England's Heritage Action Zone programme.
12. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

### **Public Sector Equalities Duty**

13. 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**

14. 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.
15. 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.
16. Local planning authorities have a statutory duty to consider the Self Build and Custom Housebuilding Act (2015) when carrying out planning functions. Whilst acknowledging there are individuals on the Council's self-build and custom housebuilding register, the site is not considered suitable to provide such plots due to needing to deliver higher density development in order to achieve a deliverable scheme.

### **Consultations**

17. BCP Environmental Health – No objections to the proposal however has asked for conditions regarding land contamination information and air quality to be attached to the decision.
18. Environmental Agency – The EA objected to the application when originally submitted due to concerns that it had not been demonstrated that the proposed finished floor levels were high enough to enable a development safe from future flood levels. Following amended plans that secured the required finished floor levels, the EA have removed their objection to the scheme and proposed appropriate conditions to be attached to a grant of planning permission.
19. BCP Lead Local Flood Authority – All objections to this scheme have been addressed through the amended Flood Risk Assessment. Condition attached for the maintenance of flood defence equipment.
20. BCP Highways Authority – All objections to this scheme have been addressed through vehicle tracking plans and servicing plans.
21. Natural England – No objections however have asked for conditions such as Construction Environmental Management Plan (CEMP) to be implemented as well as bat checks.
22. BCP Recycling and Waste – No objections to the application.
23. Dorset Council Archaeologist – Conditions attached to provide trial trenching evaluation information.
24. BCP Conservation Officer – The Conservation Officer has objected to the application. The Conservation Officer considers that the scheme doesn't respond to the site or the context and doesn't meet the test to preserve the conservation area.

The Conservation Officer's concerns are considered in more detail in the relevant section of this report.

25. Historic England – No objections subject to conditions

### **Representations**

26. 56 letters of representation have been received, of which 52 letters raise objections to the proposal. The issues raised comprise the following:

- Lack of parking;
- Building design should reflect historic area of the quay;
- Further destruction of the historic nature of Poole;
- No Affordable housing;
- Not in keeping with the conservation area;
- Height of the development;
- Too many flats in the area.

### **Key Issue(s)**

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

- Proposed Development;
- Housing Delivery Test;
- Principle of Development;
- Poole Town Centre Strategy;
- Character and appearance of the area;
- Residential and Neighbouring Amenities;
- Servicing, Parking and Highways Safety;
- Heritage;
- Flood Risk;
- Infrastructure and Developer Contributions;
- Open Space;
- Accessibility;
- Nationally Described Space Standards;
- Affordable Housing;
- Biodiversity;
- Planning Balance / Conclusion

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

### **Policy Context**

29. **Poole Local Plan (Adopted 2018)**

- PP01 Presumption in favour of sustainable development
- PP02 Amount and broad location of development
- PP03 Poole Town Centre Strategy
- PP06 High Street, Quay and Old Town
- PP08 Type and Mix of Housing
- PP11 Affordable housing
- PP22 Retail and Main Town Centre Uses

- PP27 Design
- PP28 Flats and Plot Severance
- PP30 Heritage
- PP32 Poole's Nationally, Internationally and European Protected Sites
- PP34 Transport Strategy
- PP37 Building sustainable homes and businesses
- PP38 Managing Flood Risk
- PP40 Viability

### 30. **Poole Quays Neighbourhood Plan**

- PQF1 Public realm
- PQF3 High quality design
- PQF4 Transport network and sustainable travel choices
- PQF5 Walking, cycling and public transport improvements
- PQF9 The layout and appearance of Poole High Street

### 31. **Supplementary Planning Documents**

- BCP Parking Standards SPD (adopted January 2021)
- Poole Town Centre SPD (adopted 2015)
- Dorset Heathlands Planning Framework (adopted 2020)
- Poole Harbour Recreation SPD (adopted 2020)
- Nitrogen Neutrality in Poole Harbour SPD (2020)
- Heritage Assets SPD (2013)

### 32. **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 16 – Conserving and enhancing the historic environment

##### Paragraph 195 –

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and

any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

Paragraph 197 –

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 -

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.

Paragraph 200 –

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 203 –

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

## **Planning Assessment**

### **Proposed Development**

- 33. This application is for the redevelopment of the site to form 40 apartments and 424sqm of commercial space, following partial demolition of existing buildings between 13 and 15 High Street.
- 34. The site is currently occupied by three buildings, with two fronting onto High Street and one in the centre of the proposed development site being a two-storey former



warehouse building. Other than the buildings, the site has concrete outdoor space which is currently used for car parking associated with the existing use..

35. The application seeks to redevelop the site and form 40 apartments, 424sqm of commercial space, following partial demolition of existing buildings. As can be seen on the drawing titled 'Proposed site structures to retain', the redevelopment seeks to retain a large proportion of the buildings on site, therefore managing to retain elements of the architectural style throughout the build and more importantly retain the important heritage features these buildings provide for the conservation area.
36. The site will be accessed via an existing vehicular access to the north of the site off High Street, however this will purely be for servicing.
37. To the front of the development, proposals would seek to retain parts of the façades to No. 13 and No. 17 High Street. Both facades will be enhanced with key features of their design retained in keeping with the street scene currently seen on High Street. No. 15 High Street was demolished in the 1970's, therefore a new building here will form a solid frontage for the scheme. The style of No. 15 is in keeping with other design elements that can be seen within the conservation area, however with a modern twist.
38. No. 13 High Street comprises a single storey warehouse building at present that extends back into the site. This building will be retained along with an addition two storeys added in order to provide residential accommodation. The overall height of the High Street frontage will not exceed 3.5 storeys.
39. The rear of the proposed development borders Strand Street and keeps design elements seen on High Street such as window features and materials in mind throughout the development. The buildings fronting Strand Street are 3 to 4 storeys in height, which is in keeping with that of the local area and down from the initially proposed 7 storeys in height for this location.

### **Housing Delivery Test**

40. 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.
41. 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.
42. 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.
43. 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, it is therefore

appropriate to regard relevant policies as out of date as the local planning authority is unable to demonstrate a five-year supply of homes. The implication of the Poole area failing to have a 5 year housing land supply is that the NPPF's presumption in favour of sustainable development is therefore engaged (unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (see NPPF Footnote 7), or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

44. For this planning application the benefits provided from the supply of new homes are considered to carry significant weight in the planning balance.

### **Principle of development**

45. The principle of development is acceptable for this location. The Poole Local Plan stated that *'The principle of high-density development (e.g. flats) anywhere within the sustainable transport corridors is accepted, subject to the other policies of the plan (eg. PP27: Design and PP35: A safe, connected and accessible transport network).'* Poole Town Centre within which the site is location, is part of the sustainable transport corridor network.
46. Given the shortfall of the number of homes delivered in the Local Plan area, 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 approach forms a material consideration in this case that is considered in the planning balance / conclusion section of this report.
47. Notwithstanding this, the principle of development is clearly acceptable in view of its town centre location and accords with Policies PP01, PP02 and PP34.

### **Poole Town Centre Strategy**

48. Policy PP03 aims to generate the highest levels of activity within the most locally sustainable locations within Poole Town Centre. PP06 sets out policy for the High Street and seeks to enhance the commercial vitality of the area alongside an improvement in overall townscape quality.
49. The scheme incorporates retail and residential uses that will enhance the local area, creating a sustainable location for mixed use development, whilst enhancing the high street through new commercial use. The proposals are considered to not result in substantial harm to the Poole Town Centre Heritage Conservation area and will result in the rejuvenation and re-use of non-designated heritage assets injecting life into the area, which is recognised as being on Historic England's 'Heritage at Risk' register.
50. The development also provides an enhanced active frontage to High Street, one that has not seen full activity since the demolition of No. 15 High Street. Completing this street scene will help establish active ground floor frontages along High Street, retain traditionally styled shop fronts and support improvements to the public realm. This represents a significant benefit of the scheme. As discussed in more detail in the next section, the design response will successfully integrate into the character and appearance of the area incorporating features that respond positively to the heritage context.

51. In summary the development is considered to have a positive impact on Poole Town Centre in accordance with Policies PP03 and PP06 of the Poole Local Plan and PQF 9 of the Poole Quays Neighbourhood Plan.

### **Character and appearance of the area**

52. The height of the overall development ranges between 3 and 4 storeys. Locally, neighbouring buildings do not exceed that of 4 storeys in height, meaning the proposal accords with the prevailing scale within the vicinity of the site. The height of the proposal has also been reduced considerably throughout the application process to make sure it is in keeping to the characteristics and appearance of the surrounding area.
53. The scheme aims to retain and reuse a large percentage of the locally listed buildings on the development. The retained buildings have been a key feature throughout the development of the scheme and have been incorporated into the overall design of the development. Internally, the buildings have been modified to be able to be used in a modern setting for the larger retail units. However, the external design of the buildings has been retained, which is a key positive aspects of the scheme.
54. In order to respond to its setting, the applicant has used materials which link to the conservation area and elements of neighbouring units throughout the design of the development. A red/brown brick is to be used on new elements of the build, which links back to what can be seen within the vicinity of the site at present.
55. Along the High Street, the shop fronts will display a traditional timber design with timber doors and windows in keeping with what can be seen in the conservation area at present.
56. The new elements of the build and the residential units propose standing seam zinc cladding which flows into a brick finish to the taller aspect of the building. The metal and brick finish help tie the scheme into the characteristics of the traditional conservation area however supply a modern twist to this design.
57. The development is considered to have an acceptable impact on the character and appearance of the area in accordance with Policy PP27 (height and scale, and materials and detailing) of the Poole Local Plan and PQ3 and PQ9 of the Poole Quays Forum Neighbourhood Plan.

### **Residential and Neighbouring Amenities**

58. Policy PP27 outlines that development should not result in a harmful impact upon amenity for local residents or future occupiers in terms of overshadowing, loss of light, loss of privacy and whether the development is overbearing or oppressive.
59. As mentioned previously, the application is between 3 and 4 storeys in height, which is considered acceptable for the site and surrounding area. The surrounding area is largely residential flats and commercial. For this reason, the proposals fit in with the current neighbouring amenities and would not have an impact on overshadowing, loss of privacy or light to any neighbouring buildings.
60. The apartments include range from 29 x 1 bedroom apartments, and 11 x 2 bedroom apartments. The proposed housing mix is acceptable in terms of Policy PP8 within

the Poole Local Plan. There will be outdoor landscaped space which will be subject to a landscaping plan via condition to fully implement the design, which will help to provide amenity space for future residents.

61. Given the height of the building and separation distances from neighbouring properties, it is unlikely to result in any overshadowing or appear overbearing to any neighbouring residential properties. The design approach proposed will secure a successful development in terms of impacts on residential amenity for both existing and future residents in accordance with Policy PP27 of the Poole Local Plan and PQ3 of the Poole Quays Neighbourhood Plan.

### **Servicing, Parking and highway safety**

62. Vehicle access for servicing will be taken from High Street. The site offers no parking spaces however offers two bike store areas across the development with the capacity to store over 100 bikes for residential use. The site is also located within the sustainable transport corridor.
63. The servicing access will be used for waste collection vehicles, for both residential and commercial units. This has been accepted by the council's waste officer following previous meetings.
64. Objections received make note of the lack of parking facilities for residents, however the location of the development is well connected and in a sustainable location, therefore residents should be able to access all amenities on foot, bike or public transport. BCP Highways Authority has been consulted on the proposal and offered no objection subject to the attachment of conditions.
65. These proposed provisions accord with the adopted BCP Parking SPD. This is supported by Policies PP34 and PP35.

### **Heritage**

66. Policy PP30 (Heritage Assets) expects new development to preserve or enhance the historic, architectural and archaeological significance of heritage assets. This requirement also forms part of Policies PP03 and PP06 relating to Poole Town Centre Strategy and the High Street respectively. The NPPF is clear as to the importance of the conservation of heritage assets.
67. Through these policies and the NPPF, it is important to describe the significance of heritage assets, and then assess the impact of a development on designated and non-designated heritage assets and justify any harm or loss affecting the asset early in the application process.

#### **The significance of relevant heritage assets**

68. The development site is within the Poole Town Centre Heritage Conservation Area, which is a designated heritage asset. The wider Conservation Area includes numerous Listed Buildings, which are also designated heritage assets. The site itself contains locally listed buildings, which are non-designated heritage assets. In particular, along its north boundary, which borders High Street, all buildings apart from No. 17 and part of No. 21-25 fall within the Listed Buildings or Locally Listed Buildings category. Within the site, No. 13 High Street forms the northern boundary of the scheme and is a Locally Listed Building.

69. These designated and non-designated heritage assets exist as a direct result of Poole Town Centre's history and evolution over time that dates back to medieval times. The history of Poole is therefore exemplified throughout the town centre townscape and its collection of heritage assets, many of which remain in good condition and collectively contribute positively to the character of the Conservation Area. Accordingly, the overall significance of the heritage assets affecting the site is considered to be high and in accordance with Paragraph 199 of the NPPF, great weight must be applied to their conservation.
70. The conservation area is largely commercial at present day, however the location of the development falls in the 'Pre 1700' zone of the conservation area whilst also falling into the Old Town Conservation Study Area. The conservation area benefits from a richness of detail, materials and style, creating a sense of cohesiveness and pleasing character and appearance to the area.
71. The application site occupies a sensitive position given its location within the conservation area. While the existing building (13 High Street) is part of the historic development of the area, its character has been significantly eroded by neglect and unsympathetic alterations over the years.
72. In terms of the site itself, the locally listed buildings are not considered significant on their own, albeit when being considered with the wider conservation area, the site becomes key on the street scene for High Street. The buildings fronting the High Street therefore are importance in terms of their positive contribution to the character of this part of the High Street within the Conservation Area.
73. Internally on the site, the buildings lack the same key features that can be seen on the frontage of the site. The original buildings do remain on the site, however, do not offer the same key fenestrations as the frontage does.
74. In view of the relative importance of the site within its Conservation Area context (and in particular, its prominent setting along the High Street), the applicant has sought to respond to comments from the Council's Conservation Officer. There have been a number of revisions to the plans since the application was submitted that have been subject to consultation by the Conservation Officer. The applicant has sought to work with the Conservation Officer (as well as Urban Design Officer) to address issues and present a sympathetic form of development.
75. Following detailed comments from both the Conservation Officer and Urban Design Officer, the applicant significantly changed the original scheme to reflect and respond positively to these comments. Particular changes over the course of the application include a significant reduction in scale and height as well as changes in materials to be used.
76. However, notwithstanding the changes made by the applicant the Conservation Officer continues to have some concerns and the objection remains in place. The issues raised by the Conservation Officer that remain are as follows:
- The use of the historic warehouse for housing and the links made to it to the new blocks of flats will be detrimental to the unique character and integrity of the

building and result in overdevelopment due to the servicing required for housing. Retaining it wholly for commercial would be preferred;

- Heights of the new warehouse style buildings are beyond the 3.5 storeys recommended for this sensitive location to avoid overshadowing the 2.5 storey High Street buildings;
- Box dormers are too large and out of proportion with the scale needed. Dormers in the area generally have pitched roofs;
- The gate to the High Street needs to be retained and repaired;
- The boundary wall to Strand Street is too high and impermeable;
- The use of black renders and mortars, grey sash windows, emerald green tiles do not form part of the local building palette;
- Proposed shopfronts will not assimilate positively with the prevailing style along the High Street.

77. Overall, the Conservation Officer considers the proposals do not sufficiently respond to the site and surrounding area context and would lead to harm to heritage assets. It is concluded that this harm would be less than substantial harm as opposed to substantial harm. Whilst the Conservation Officer's concerns are acknowledged, Paragraph 202 of the NPPF states that public benefits need to be weighed against less than substantial harm to designated heritage assets. Paragraph 203 of the NPPF states that a balanced judgement should be made to harm to non-designated heritage assets. These tests will be considered following a detailed assessment of the heritage impacts to consider the extent of any harm.

78. It is also my duty as a Planning Officer to balance consultee comments before reaching a recommendation. The next section of this report thereby assesses the impact on the development on heritage assets in more detail including review of the design response being proposed to conclude on the level of harm that exists from the application that would need to be balanced against any benefits arising from the scheme.

#### Assessment of Heritage Impacts

79. The street scene to the north of the development which borders High Street will change from what is there currently. Amendments are proposed to the facades at No. 13 and No. 17 High Street as well as filling in the gap of the former No.15 High Street. The scale will be increased along the High Street frontage from the existing 1.5 to 3.5 storeys to a more consistent 3 to 3.5 storeys. The increase in height is required in order to provide the proposed residential development. However, the approach proposed is considered to be acceptable overall as it will result in a development that accords with the prevailing scale along the High Street rather than breach it. The end result will evidentially be different to the existing situation, but the approach proposed will create a sympathetic approach to re-instating a consistent frontage to the High Street. The use of materials that seen throughout the surrounding area such as timber frames for doors/windows, is considered to be a positive design response to ensure the development will largely preserve and enhance the character of the High Street frontage.

80. The application aims to retain, where possible, the majority of buildings on the site, with only a small proportion of walls to be demolished through the build. The

demolition of locally listed buildings is noted as leading to some harm although it is relatively small overall given that the majority of the structure will be renovated and brought back into an active use. The demolition of a small section of the structure will also enable the creation of an internal courtyard for the development, that will enhance the overall form and function of the development as well as be of benefit to future residents.

81. The part of the development fronting Strand Street has been reduced considerably from the first submission where it reached 7 storeys in height. The development on this part of the site now ranges between 3 and 4 storeys, which is considered to be appropriate to its site and context as well as matching heights already around the site. The design incorporates warehouse style vernacular, which seeks to draw inspiration on the traditional form of development in and around the quay. There remain a number of warehouse buildings within the Conservation Area and replicating this feature is considered to be an appropriate design approach to take for this site. Concerns have been raised about the scale of the development along Strand Street and resulting impact on the High Street. These concerns have been significantly improved upon by the reduction of scale through the application. In view of the reduction of scale any glimpses of the 4 storey elements along the High Street are not considered to give rise to harmful impacts over and above what is already a feature of the surrounding townscape.
82. With regard to the changing physical scale and form of the development through revised plans and reports, it is considered that the revised proposal seeks to work within what can be considered acceptable development in this sensitive area. It is recognised the design is a modern take on design features throughout the conservation area. It is considered though that the approach is sympathetic to the existing conservation area, as can be seen with the materials proposed for the elevations of the High Street street scene.
83. As has previously been pointed out through this report, the site is currently listed upon Heritage England's 'At Risk' Register. The Heritage at Risk (HAR) programme helps to understand the overall state of England's historic sites. The programme identifies those sites that are most at risk of being lost as a result of neglect, decay or inappropriate development. As mentioned previously, materials, architecture styles and fenestrations have all been taken into account through this application and are sympathetic to those of the conservation area, and due to this, the level of development is not considered inappropriate for the area.
84. Taking into consideration other heritage assets in the vicinity of the site, the following assessment has been undertaken. This assessment takes into consideration the listed buildings within the immediate vicinity of the site, looks into the reason for their listings and any potential impacts the proposed development may have on the site.

Table 1: Review of Listed Buildings within the vicinity of the site

Address	Listed Grade	Reason for listing	Development impacts	Level of impact from the proposed scheme
The Kings Head Hotel, 6 High Street	II	Roof and ceiling	The development is likely to have no impacts on the	Not affected



			internal features of this building	
1 – 7 High Street	II	Architectural Features (internal and external)	The development is likely to have no impacts on any of these internal or external features	Not affected
The Antelope Hotel, 8 High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles within the conservation area	Not affected
10 High Street	II	Architectural Features and roofing style	The development is likely to have no impacts on any of these internal or external features	Not affected
12 – 14 High Street	II*	Very fine late 16 <sup>th</sup> century plasterwork	The development is likely to have no impacts on these internal features	Not affected
19 and 19A High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles within the conservation area	Not affected
20 High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles within the conservation area	Not affected
22 High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles	Not affected

			within the conservation area	
24 – 26 High Street	II	Architectural Features (internal and external)	The development is likely to have no impacts on any of these internal or external features	Not affected
25 – 27 High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles within the conservation area	Not affected

85. The above assessment provides evidence that the surrounding listed buildings are listed either based on their architectural style or the key internal features they house. Due to this, it is understood that that development will have little to no impact on these features.
86. As previously mentioned, the design of the proposed units bordering High Street are sympathetic to key features seen within the street scene, and use materials that can be seen throughout the street and listed units, fitting well into the conservation area and building upon a derelict unit.
87. Satisfactory materials proposals along High Street include timber windows and doors for the retail units, black aluminium critter windows, a mixture of red and brown bricks with soldier courses where appropriate, white render on 13 High Street façade, clay and slate roof tiles and the repair and restoration of the existing chimney as well as the pillars at the service entry point to the site. All elements of this design can be seen within the conservation area.
88. Within the development, standing seam zinc cladding will be used with a brown multistock brick finish with a natural slate tile used for the roofing for the two southern buildings. The adjoining retail unit will use materials such as timber sash windows, burnt copper effect cladding and plain clay tiles. All of the materials listed above are deemed acceptable. The materials are conditioned and should be submitted and approved prior to commencement on the site.
89. Through further consultation with Historic England regarding the development, they have stated that overall they are happy with the proposed development, the aspects of the historic site which are being retained as well as the modern elements to the scheme. HE have asked for conditions to be attached to the approval to clarify the extent of demolition, the structural capability of the stable to support a rooftop extension, to guarantee pedestrian access through the site and to guarantee the quality of architectural detail and materials, all of which the applicant is happy to agree to.
90. As the site is within a conservation area, Dorset Council Archaeologist team have been consulted. As it is not possible for the applicant to undertake trial trenching at

this stage in the application process, the requirement for this has been conditioned to make sure the site is surveyed before any major development takes place.

91. Whilst it is acknowledged that the Conservation Officer continues to object to the scheme it is important to acknowledge that the scheme will result in enhancement to what is currently on site and injects life into a heritage asset which is currently on the Heritage England 'At Risk' register. Although the area will change due to the development's progression, the scheme aims to conserve major aspects of the heritage on site through retentions of buildings and materials used throughout the scheme.
92. The overall design of the scheme is considered to be successful and will have positive impacts in heritage terms. However, given that the Conservation Officer considers there will still be less than substantial harm overall, it is necessary to consider the public benefits that arise from the scheme. The public benefits are considered to be the provision of 40 homes in the most sustainable part of the town. The shortfall of housing delivery places further emphasis on the benefits from the proposal. The reinstatement of the historic high street form with the filling in of the gap and addition of revitalised commercial space are also considered to be of significant public benefit. These benefits also outweigh any identified harm to the non-designated heritage assets. The proposals bring an area of Poole Town centre back into beneficial public use and outweigh any harm of the loss of the fabric of buildings and considered to be acceptable in planning terms.

### **Flood Risk**

93. The EA originally objected to this application and maintained their objection through the revisions of the scheme. The applicant has since responded to these objections with a revised FRA, which meets all the points raised by the EA.
94. In their consultation response dated 11th March 2022, the EA advised against the provision of single storey ground floor dwellings in present day or future flood risk areas due to increased vulnerability of occupants to flood risk, because of lack of internal first floor safe haven. The EA go on to state the following should be demonstrated in the FRA:
  - Ground floor finished floor levels shall be set no lower than 2.9m (AOD); and
  - Flood resiliency up to 3.51m AOD.
95. Revised plans show the proposed FFL of each ground floor dwelling and commercial unit will be set no lower than 3.1m AOD with flood resiliency up to 3.7m AOD. This accords with what has been asked for by the EA and has been confirmed by themselves in a further consultation response dated 9<sup>th</sup> August 2022.
96. This will provide future residents of the ground floor flats with an internal safe haven, above the anticipated future flood level. The scheme will include flood doors at each ground floor entry point which will create a watertight seal to prevent flood water from entering the units. Automatically closing air bricks will be provided to create a further seal against floodwater.
97. The Poole Flood Risk Management Strategy (PFRMS) states that developments should be safe in terms of flood risk for their entire lifetime. To be safe, the FFLs

should be above the 1 in 200-year flood level, plus freeboard allowance of up to 600mm.

98. As mentioned above, further correspondence was received 9<sup>th</sup> September 2022, which asked for confirmation over FFL n existing buildings be set at or above LFRSA level of 2.6mAOD, or provide a betterment to what is currently existing on site.
99. All buildings on site have a LFRSA level of 2.6mAOD or above, and information has been confirmed as acceptable by the EA. In addition, the following resilience measures will be incorporated up to 3.7m AOD:
- Waterproof plaster.
  - Solid concrete floors.
  - Raised electrical sockets.
100. The EA have now withdrawn any objections they had on the application and recommended conditions be attached to the grant of planning permission.

### **Infrastructure and developer contributions**

101. 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.
102. 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.
103. 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.
104. The NHS through its Clinical Commissioning have identified that there would be a impact on local doctor provision that would require a proportionate contribution of £3,360 that can be secured by the S106 agreement.
105. The contributions required from this scheme are stated below:
- Heathlands SAMM - £11,508 incl admin
  - Harbour SAMM - £4,099.20 incl admin
  - CIL - £144,385.55
  - NHS Contribution - £3,360

### **Open Space**

106. In accordance with Policy PP25, strategic sites (i.e. those that include 40 or more dwellings as defined by the Poole Local Plan) should provide open space on-site having regard to the standards set out in the Council's Open Space Needs Assessment or, where this cannot be achieved, provide off-site provision in lieu of on-site provision. The proposal includes courtyard areas that will provide for a form of open space on site. However, it needs to be recognised that this is a town centre site where care needs to be taken to address the heritage context as well as arrive at a deliverable development. The site is also within close proximity of Baiter Park, Poole Park and Harbourside Park, which provide substantial play and open space facilities. A financial contribution will be made from CIL, which the Council can use to provide open space infrastructure. Overall, the proposal is considered to not give rise to harmful impacts in respect of open space sufficient to refuse planning permission.

### **Accessibility**

107. The proposals for this development do incorporate a lift into the plans and the building would be accessible for all.

### **Nationally Described Space Standards**

108. As shown on plan 122.1 GA 02f, all apartments are compliant with Nationally Described Space Standards.

### **Affordable Housing**

109. Submitted with the application was a viability assessment. This report has been reviewed independently and the District Valuation report states the following:

*Following the above testing work, it is my considered conclusion that the proposed development with policy compliant Affordable Housing provision would achieve a residual land value below the Benchmark Land Value. I also highlight through sensitivity testing that although the residual land value is higher for an all-Private scheme, this is still below the Benchmark Land Value. Therefore, I conclude that Affordable Housing cannot be viably provided.*

*The applicant intends to proceed with the development even though the all-Private scheme does not appear to be viable. I would therefore recommend the Council to consider a review mechanism at agreed project milestones with the applicant to assess the actual costs and values for the proposed scheme in order to evaluate whether the scheme could be viable enough to support the provision of Affordable Housing at a later stage.*

110. Due to this, it is not considered viable for the scheme to provide any affordable housing.

### **Biodiversity**

111. Policy PP31 of the Poole Local Plan requires that development will only be permitted where the Council are certain it won't lead to a likely significant effect on protected sites. For Poole protected sites comprise areas of Dorset Heathlands and Poole Harbour. The Council has long operated a mitigation approach to Dorset Heathlands and impacts arising from nitrogen and recreation pressures on Poole Harbour. These impacts are mitigated through use of CIL monies as well as securing of Strategic

Access Maintenance and Management (SAMM) monies. The SAMM monies will be secured through the proposed Section 106 with the relevant Heads of Terms agreed.

112. More recently Natural England have identified a possible issue with regard to phosphorous has been identified as potentially having an impact on Poole Harbour. The Government intend 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 underway to confirm 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.

### **Planning Balance/Conclusion**

113. The proposals will introduce new residential and retail use classes to the site. The applicant has stated that an end user for the retail units has already been established and is keen to commence business from the location. Therefore, there are significant economic benefits arising from the scheme which considerable weight is attached in the balancing exercise.
114. There are also social benefits in supporting local employment and the provision of employment space in a highly accessible location.
115. Given the shortfall of the number of homes delivered in the Local Plan area, 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 approach forms a material consideration in this case. The proposed development will result in a greater density of dwellings on the site within a Sustainable Transport Corridor.
116. The additional height of the development is considered appropriate for the area. The development reaches 3.5 storeys in height and is considered to fit in with the height within the conservation area. The design of the building is considered to be acceptable and an improvement over the existing appearance of the site. The materials of the scheme preserve and enhance the conservation area and the retention of a high percentage of the existing buildings aids the preservation of the area.
117. The NPPF places 'great weight' on the conservation of heritage assets but the proposal would have less than substantial harm on the conservation area. The harm would be less than substantial having regard to the provisions of the NPPF. The benefits of renovating and retaining (where possible) the heritage asset with a mixed use development, along with the social and economic benefits are considered sufficient mitigators to outweigh the less than substantial harm to the setting of the conservation area (the heritage asset). As such, having regard to paragraph 11d)i, the tilted balance is triggered there are insufficient grounds for refusing permission. Subject to suitable conditions, the proposal would satisfy the provisions of policy PP30.
118. The proposal will not cause material harm to the amenities and privacy of the occupants of neighbouring properties.

119. The environmental factors are therefore considered to be neutral. There are positive economic and social factors and overall the scheme represents sustainable development. The scheme is considered to comply with development plan as a whole and is recommended for approval.

### **Recommendation**

#### **Grant Planning Permission subject to the following provisions:**

- (a) the following conditions (with the power delegated to the Head of Planning or other relevant officer to make any necessary amendments as long as they don't go to the heart of the decision); together with
- (b) a deed pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) securing the following terms with the power delegated to the Head of Planning (or officer nominated by them for such a purpose) to agree specific wording in the opinion of the Head of Planning (or other relevant nominated officer) does not result in a reduction in the terms identified as required:
  - Heathlands SAMM - £11,508 incl admin
  - Harbour SAMM - £4,099.20 incl admin
  - NHS contribution for doctor provision - £3,360
- (c) And subject to the subject to 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 affect on the integrity of any relevant protected European sites associated with the recent identified concerns relating to phosphates together with delegated power to agree those arrangements.

#### **Conditions:**

1. GN150 (Time Expiry 3 Years (Standard)) 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. PL01 (Plans Listing) The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Proposed Site Plan Ref: 122.1 GA.02f (received 10<sup>th</sup> June 2022)
  - Proposed Street Scene Ref: 122.1 GA.06c (received 6th May 2022)



- Proposed Ground Floor Plan Ref: 122.1 GA.05.01f (received 10<sup>th</sup> June 2022)
- Proposed First Floor Plan Ref: 122.1 GA.05.02d (received 6th May 2022)
- Proposed Second Floor Plan Ref: 122.1 GA.05.03d (received 6th May 2022)
- Proposed Third Floor Plan Ref: 122.1 GA.05.04d (received 6th May 2022)
- Proposed Roof Floor Plan Ref: 122.1 GA.05.05d (received 6th May 2022)
- Proposed Elevations 1 of 4 Plan Ref: 122.1 GA.06.01c (received 6th May 2022)
- Proposed Elevations 2 of 4 Plan Ref: 122.1 GA.06.02c (received 6th May 2022)
- Proposed Elevations 3 of 4 Plan Ref: 122.1 GA.06.03c (received 6th May 2022)
- Proposed Elevations 4 of 4 Plan Ref: 122.1 GA.06.04c (received 6th May 2022)
- Proposed Servicing Plan Ref: 122.1 GA.02.01c (received 10<sup>th</sup> June 2022)
- Proposed Structures to be retained Plan Ref 122.1 GA.01a (received 9<sup>th</sup> March 2022)

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

3. GN030 (Sample of Materials) Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any materials are brought onto the site. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building(s) is satisfactory and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

4. Prior to first occupation of the building(s) hereby permitted, details of measures to provide 20% of the predicted future energy use of each dwelling 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 20% 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).

5. No development shall take place until a programme of archaeological work has been secured and implemented by an approved archaeological contractor in accordance with a written scheme of investigation to be submitted to, and approved in writing by, the Local Planning Authority.

Reason -

The archaeological site is known to be an area of archaeological importance and the archaeology should be preserved by record and in accordance with Policy PP30 of the Poole Local Plan (November 2018).

6. Prior to the commencement of development, including demolition, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions (including from asbestos removal) and to prevent pollution impacts to sensitive receptors resulting from the site preparation, demolition, and groundwork and construction phases of the development. The development shall be implemented in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.

Reason- To ensure the development does not create local environment impacts and pollution.

7. All of the structure of the existing buildings indicated as Proposed Structures to be retained Plan Ref 122.1 GA.01a (received 9<sup>th</sup> March 2022) shall at all times be retained.

Reason:

For the avoidance of doubt and to define the extent of the works permitted by this consent.

8. In the event that unexpected contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and all 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.

9. The development hereby permitted shall not be occupied until a means of access for pedestrians/cyclists and vehicular access (as shown on Proposed Ground Floor Plan Ref: 122.1 GA.05.01f (received 10<sup>th</sup> June 2022) has been constructed in accordance with the approved plans for both residential and commercial uses.

Reason -

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

10. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; such details to include a timetable for implementation. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version) and the results of the assessment provided to the local planning authority.

Where a sustainable drainage scheme is to be provided:

- (a) the submitted details shall also provide:
  - (i) information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
  - (ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime; and
- (b) once implemented the works shall thereafter at all times be managed and maintained in accordance with the approved details.

Reason: In the interests of ensuring adequate drainage from the site.

11. No part of the development hereby permitted shall be occupied until a Commercial Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Commercial Refuse Management Plan shall in particular include details:
- (a) of a private contractor to collect the refuse and the type of refuse vehicles to be used,
  - (b) measures to be taken if no private contractor is available at any time in the future (such as the employment of a person or persons to ensure bins are wheeled to the collection point); and
  - (c) to ensure that no bins will be stored in the open or at the collection point apart from on the day of collection.

The approved Commercial Refuse Management Plan shall be accorded with at all times.

Reason: To ensure the safe collection of refuse from the site so as not to impact the efficiency of the local highway network nor the safety of its users and in the interests of preserving visual amenities, meeting the needs of intended occupiers and highway safety and in accordance with Policy PP27 of the Poole Local Plan (2018).

12. The development hereby permitted shall not be occupied until a Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of the management company to be set up; a maintenance and cleaning contract that complies with the manufacturers recommended intervals for the URS. The employment of a caretaker to maintain the bin store areas keeping them clean and clear of side waste, to arrange the collection and disposal of bulky goods arising from vacating or new residents, by a licensed waste carrier so that unimpeded access is always available for collection staff and residents.

The URS installation is required to carry the BCP waste stream information on the deposit columns, it will require a key access panel giving collection crews the means to raise and lower the electrohydraulic platform to service the bins and resident fob access and fill level/deposit monitoring software.

Reason: To ensure that the proposed development includes a long-term management plan for the safe collection of refuse from the site so as not to impact on the efficiency of the local highway network nor the safety of its users and in the interests of preserving the visual amenities, meeting the needs of intended occupiers in accordance with Policies PP27 of Poole Local Plan (November 2018).

13. The development hereby permitted shall not be occupied until a Commercial Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include, details of a commercial waste agreement to collect the types refuse generated by the business activity. The refuse management plan shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that each business meets its duty under Environmental Protection Act 1990 (section34) to have suitable commercial waste agreement in place, guidance relating to capacity is based on Waste management in buildings — Code of practice BS 5906:2005, also the safe collection of refuse from the site so as not to impact the efficiency of the local highway network nor the safety of its users and in the interests of preserving visual amenities, meeting the needs of intended occupiers in accordance with Policy PP27 of the Poole Local Plan (2018).

14. The development hereby permitted shall achieve a minimum BREEAM Very Good rating (or equivalent standard). Prior to first occupation of the building, the Post-

Construction Review Certificate shall be submitted to the Local Planning Authority verifying that the BREEAM rating has been met.

Reason: In the interests of delivering a sustainable and energy efficient scheme and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

15. Prior to the construction of the development hereby approved proposals for the landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels.

Upon approval:

- a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- d) the whole scheme shall be subsequently retained.

Reason -

In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

16. The development, hereby approved, shall not commence until an Air Quality Assessment has been submitted and approved by the council. The AQA should include impacts of the demolition, construction and operational phases of the development on air quality. Any proposed mitigation options should also be included. Any proposed methodologies and/or monitoring should be agreed with the LPA. Further guidance can be found at the Institute of Air Quality Management (IAQM) (<https://iaqm.co.uk/guidance/>).

Reason - To ensure there is adequate provision of sewage facilities and in accordance with Policy PP39 of the Poole Local Plan (November 2018).

17. All flood defence equipment should be stored in an accessible and suitable location, checked annually, and that appropriate people (residents or site staff) are properly trained in its use.

Reason – to ensure the safety of the occupants.

18. Prior to the commencement of any part of the development hereby permitted including any work of demolition or ground work and notwithstanding anything contained in any documents submitted in connection with this permission details shall be submitted to and approved in writing by the local planning authority that in particular include:

- (a) evidence that demonstrates the structural capability of the stables to support the rooftop extension hereby permitted including any measures necessary to ensure that its structural integrity is secured;
- (b) measures to secure the safety, stability and retention of:
  - (i) the house situate at 13 High Street;
  - (ii) the stables; and
  - (iii) the gatepiers,all as shown marked on approved plan 122.1 GA.01a Proposed Structures to be retained dated [yy] ("the Protected Structures") during and after the construction of the development hereby permitted including a timetable for the initial provision and retention of such measures;
- (c) [details of any proposed works to the Protected Structures in order to secure their retention]; and
- (d) information that clearly identifies which parts of the remaining existing structures other than the Protected Structures and/or their interiors are to be demolished

The development shall only be carried in accordance with the approved details.

If at any time during the carrying out of the development hereby permitted there is identified any issue that might bring into question the structural integrity of the Protected Structures or might adversely impact upon their future retention then all works on site other than any necessary to secure the Protected Structures shall immediately cease and no work shall recommence until details of remedial works to secure the structural integrity and retention of the Protected Structures have been submitted to and approved in writing by the local planning authority ("the Remedial Works"). No other work shall recommence on site until both the approved Remedial Works have been fully carried out and a survey submitted to and approved in writing by the local planning authority that demonstrates that the structural integrity of the Protected Structures has been secured.

Notwithstanding the provisions of Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no whole or partial demolition of the Protected Structures.

19. Prior to the commencement of any part of the development hereby permitted and notwithstanding anything contained in any documents submitted in connection with this permission a scheme identifying the architectural detailing and samples of all external and internal facing materials shall have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved scheme.
20. Prior to the commencement of any other part of the development hereby permitted a programme of archaeological work shall have been carried out in accordance with a scheme that shall have first been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Poole Local Plan (November 2018) and the National Planning Policy Framework.

21. The development shall be carried out in accordance with the submitted flood risk assessment (reference MT/5583/FRA.7 dated August 2022 and associated plans) including the following mitigation measures: - Minimum finished floor levels of the commercial units will be set 2.6mAOD and 3.1mAOD for the residential elements. - Above the height of the finished floor levels, the development will include flood resistance / resilience to the design flood level. These mitigation measures shall be fully implemented prior to occupation and subsequently maintained thereafter throughout the lifetime of the development.

Reasons: To reduce the risk of flooding to the proposed development and future occupants

22. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme demonstrate a standard of a maximum of 110 litres per person per day is applied for all residential development. The scheme shall be implemented in accordance with the agreed details.

Reason: This condition contributes to sustainable development and meeting the demands of climate change. Increased water efficiency for all new developments also enables more growth with the same water resources.

#### **Informative Notes:**

- IN72 (Working with applicants: Approval) In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA work with applicants/agents in a positive and proactive manner by;
  - offering a pre-application advice service, and
  - advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.

Case Officer Report Completed

Officer: Hannah Wild

Date:12/09/2022:

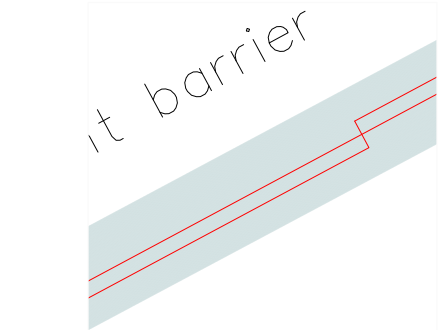
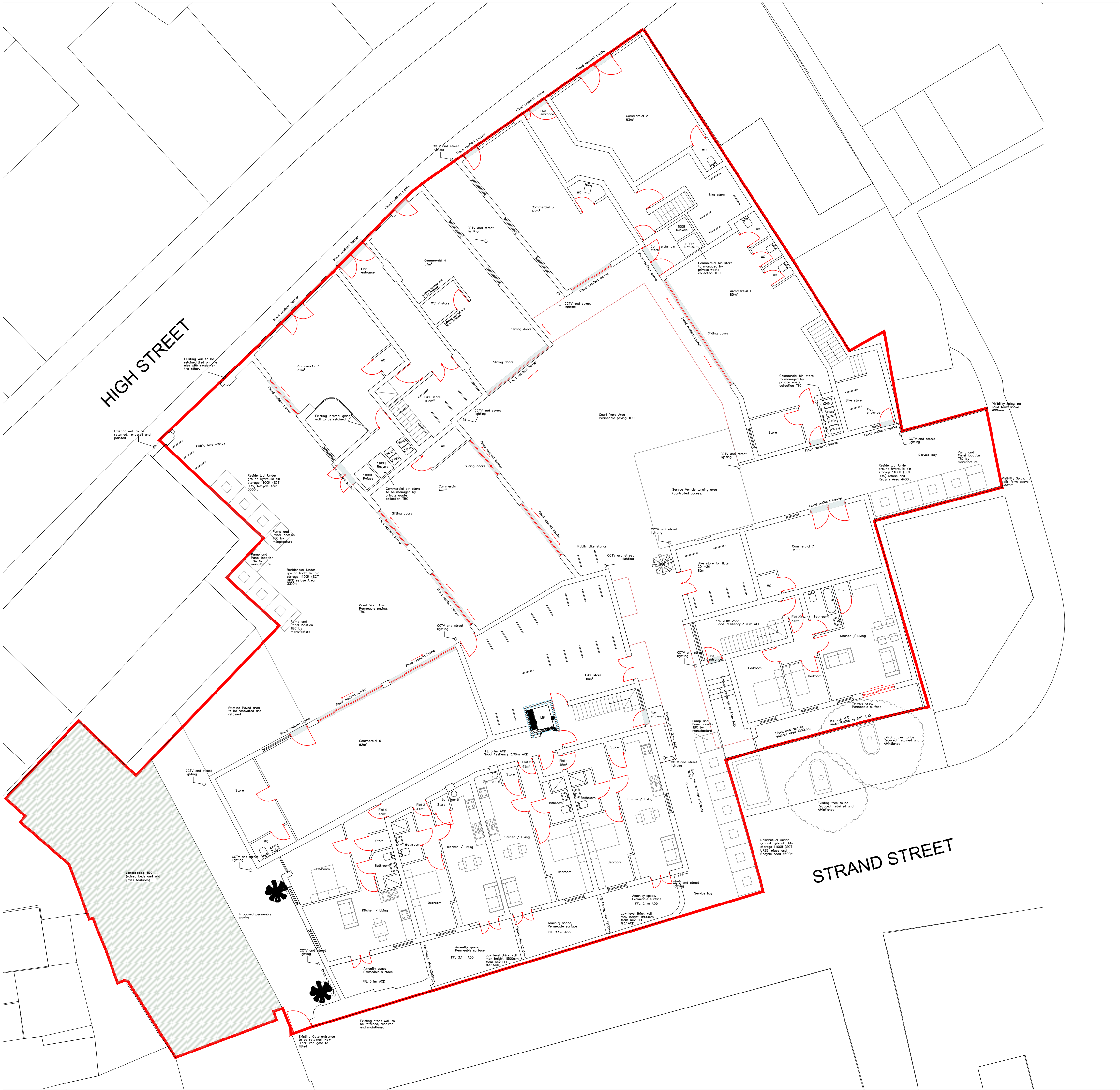
Agreed by:

Date:

Comment:



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Hatching indicates area for  
Flood defense Barriers



0 1m 3m 5m 10m

Schedule of Accommodation.

Unit Type	Beds	Area (Average) (m <sup>2</sup> )
Commercial		
C1	N/A	51
C2	N/A	53
C3	N/A	46
C4	N/A	53
C5	N/A	85
C6		92
C7		31
Sub-Total		421m <sup>2</sup>
Flats		
1	1	45
2	1	43
3	1	41
4	1	47
5	1	45
6	1	43
7	1	41
8	1	47
9	1	42
10	1	46
11	2	65
12	1	45
13	1	41
14	1	39
15	1	42
16	1	41
17	2	65
18	2	64
19	1	51
20	1	57
21	2	62
22	1	50
23	2	62
24	1	50
25	1	40
26	1	40
27	2	68
28	1	51
29	1	38
30	1	43
31	1	51
32	1	44
33	2	68
34	2	68
35	2	69
36	1	52
37	2	45
38	2	68
39	2	69
40	1	50
Sub-Total	40	2038 m <sup>2</sup>

Totals	Unit No.	Area (m <sup>2</sup> )	Area (ft <sup>2</sup> )
Commercial	6	421	4525
Residential	40	2038	21908

Project. 13 High Street,  
Poole

Client. Shore Holdings Ltd

Drawing Title. Proposed Site Plan

Scale. 1:150 @ A1

Drawing No. 122.1 GA.02f

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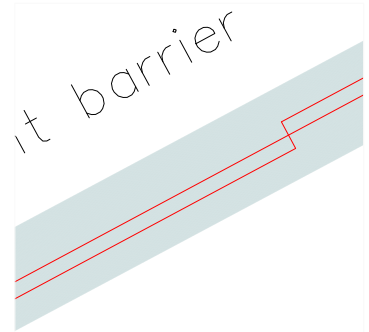
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to commencement of work. Do not scale from drawing.

0 1m 3m 5m 10m





Hatching indicates area for Flood defense Barriers



0 1m 3m 5m 10m

Schedule of Accommodation.

Unit Type	Beds	Area (Average) (m²)
Commercial		
C1	N/A	51
C2	N/A	53
C3	N/A	46
C4	N/A	53
C5	N/A	85
C6		92
C7		31
Sub-Total		421m²
Flats		
1	1	45
2	1	43
3	1	41
4	1	47
5	1	45
6	1	43
7	1	41
8	1	47
9	1	42
10	1	46
11	2	65
12	1	45
13	1	41
14	1	39
15	1	42
16	1	41
17	2	65
18	2	64
19	1	51
20	1	57
21	2	62
22	1	50
23	2	62
24	1	50
25	1	40
26	1	40
27	2	68
28	1	51
29	1	38
30	1	43
31	1	51
32	1	44
33	2	68
34	2	68
35	2	69
36	1	52
37	1	45
38	2	68
39	2	69
40	1	50
Sub-Total	40	2038 m²

Totals	Unit No.	Area (m²)	Area (ft²)
Commercial	6	421	4525
Residential	40	2038	21908

Project.	13 High Street, Poole
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Client.	Shore Holdings Ltd
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Drawing Title.	Proposed Ground Floor Plan
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Scale.	1:150 @ A1
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Drawing No.	122.1 GA.05.01f
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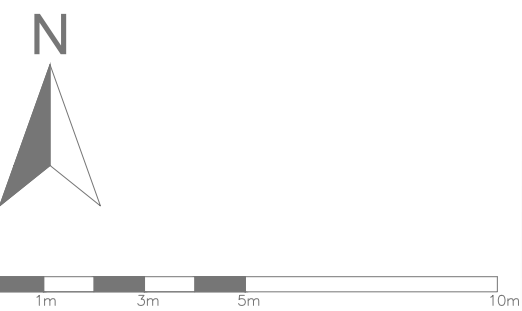
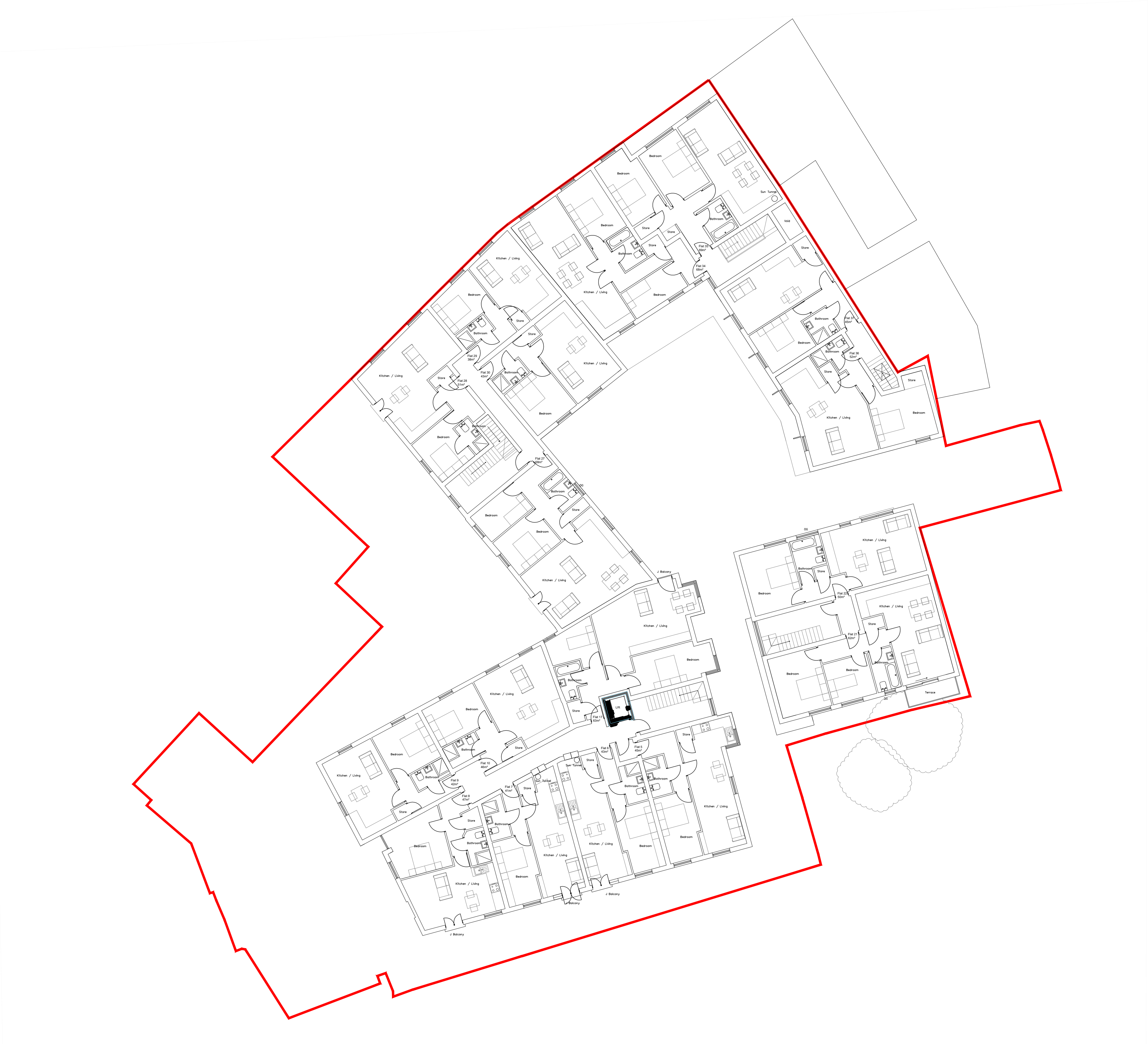
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Proposed Ground Floor Plan  
Scale 1:150 @ A1





Schedule of Accomodation.			
Unit Type	Beds	Area (Average) (m²)	
Commercial	C1	N/A	51
	C2	N/A	53
	C3	N/A	46
	C4	N/A	53
	C5	N/A	85
	C6		92
	C7		31
Sub-Total			421m²
Flats	1	1	45
	2	1	43
	3	1	41
	4	1	47
	5	1	45
	6	1	43
	7	1	41
	8	1	47
	9	1	42
	10	1	46
	11	2	65
	12	1	45
	13	1	41
	14	1	39
	15	1	42
	16	1	41
	17	2	65
	18	2	64
	19	1	51
	20	1	57
	21	2	62
	22	1	50
	23	2	62
	24	1	50
	25	1	40
	26	1	40
	27	2	68
	28	1	51
	29	1	38
	30	1	43
	31	1	51
	32	1	44
	33	2	68
	34	2	68
	35	2	69
	36	1	52
	37	1	45
	38	2	68
	39	2	69
	40	1	50
Sub-Total			2038 m²

Totals	Unit No.	Area (m²)	Area (ft²)
Commercial	6	421	4525
Residential	40	2038	21908
Project.	13 High Street, Poole		

Client. Shore Holdings Ltd

Drawing Title. Proposed First Floor Plan

Scale. 1:150 @ A1

Drawing No. 122.1 GA.05.02d

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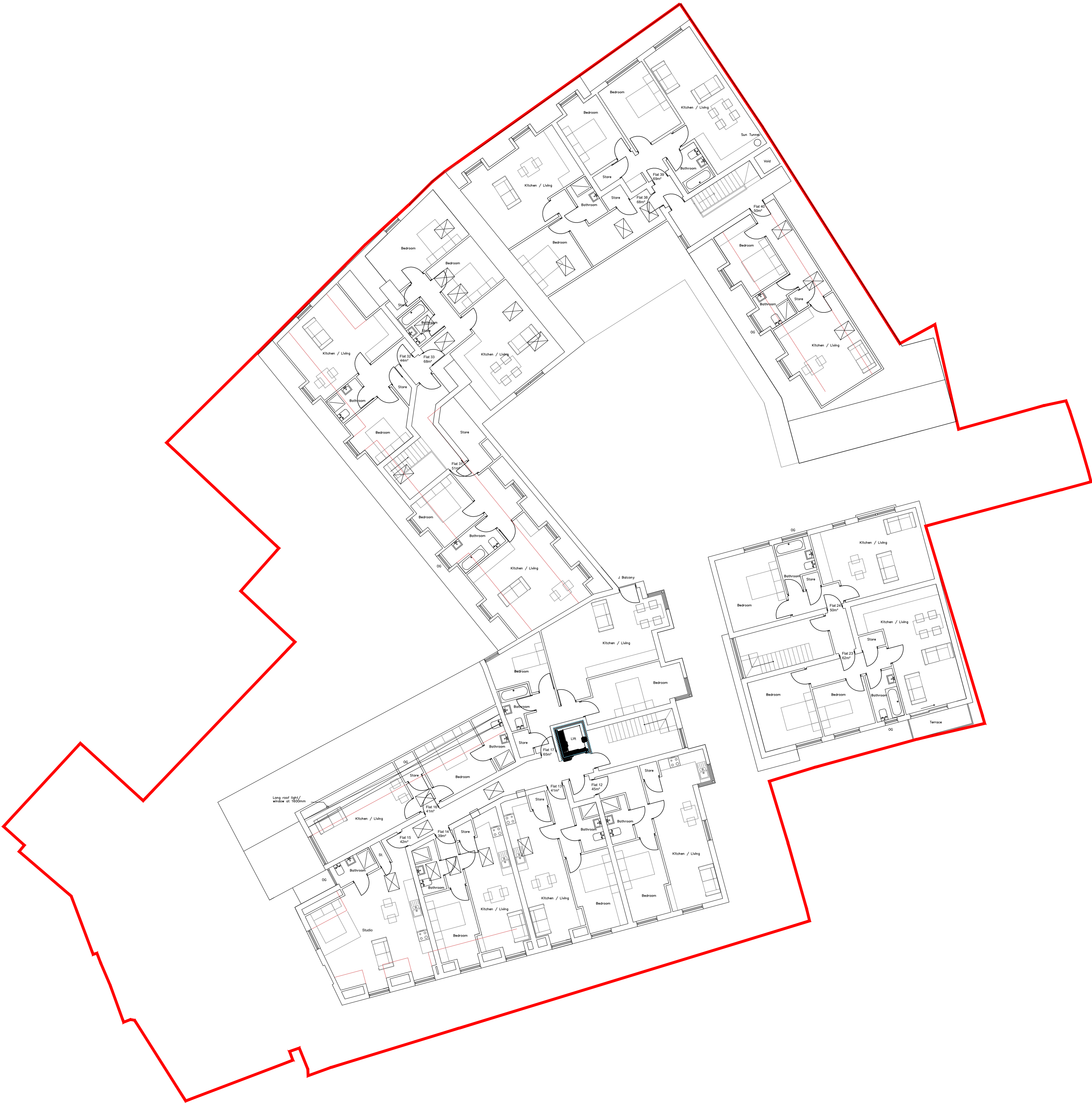
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Proposed First Floor Plan  
Scale 1:150 @ A1





Schedule of Accomodation.

Unit Type	Beds	Area (Average) (m <sup>2</sup> )
Commercial		
C1	N/A	51
C2	N/A	53
C3	N/A	46
C4	N/A	53
C5	N/A	85
C6		92
C7		31
	Sub-Total	421m <sup>2</sup>
Flats		
1	1	45
2	1	43
3	1	41
4	1	47
5	1	45
6	1	43
7	1	41
8	1	47
9	1	42
10	1	46
11	2	65
12	1	45
13	1	41
14	1	39
15	1	42
16	1	41
17	2	65
18	2	64
19	1	51
20	1	57
21	2	62
22	1	50
23	2	62
24	1	50
25	1	40
26	1	40
27	2	68
28	1	51
29	1	38
30	1	43
31	1	51
32	1	44
33	2	68
34	2	68
35	2	69
36	1	52
37	1	45
38	2	68
39	2	69
40	1	50
	Sub-Total	40 2038 m <sup>2</sup>

Totals	Unit No.	Area (m <sup>2</sup> )	Area (ft <sup>2</sup> )
Commercial	6	421	4525
Residential	40	2038	21908

Project.	13 High Street, Poole
Client.	Shore Holdings Ltd
Drawing Title.	Proposed Second Floor Plan
Scale.	1:150 @ A1
Drawing No.	122.1 GA.05.03d

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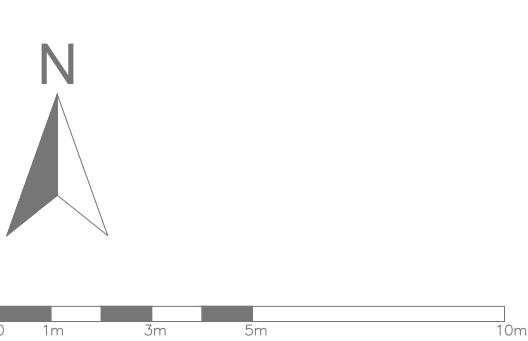
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Proposed Second Floor Plan  
Scale 1:150 @ A1



Schedule of Accomodation.

Unit Type	Beds	Area (Average) (m²)
Commercial	C1	N/A
	C2	N/A
	C3	N/A
	C4	N/A
	C5	N/A
	C6	N/A
	C7	N/A
Sub-Total		421m²
Flats	1	45
	2	43
	3	41
	4	47
	5	45
	6	43
	7	41
	8	47
	9	42
	10	46
	11	65
	12	45
	13	41
	14	39
	15	42
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	26	40
	27	68
	28	51
	29	38
	30	43
	31	51
	32	44
	33	68
	34	68
	35	69
	36	52
	37	45
	38	68
	39	69
	40	50
Sub-Total		2038 m²

Totals	Unit No.	Area (m²)	Area (ft²)
Commercial	6	421	4525
Residential	40	2038	21908

Project.	13 High Street, Poole
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Client.	Shore Holdings Ltd
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Drawing Title.	Proposed Third Floor Plan
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Scale.	1:150 @ A1
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Drawing No.	122.1 GA.05.04d
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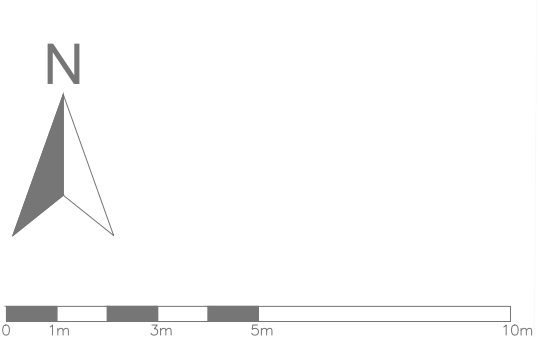
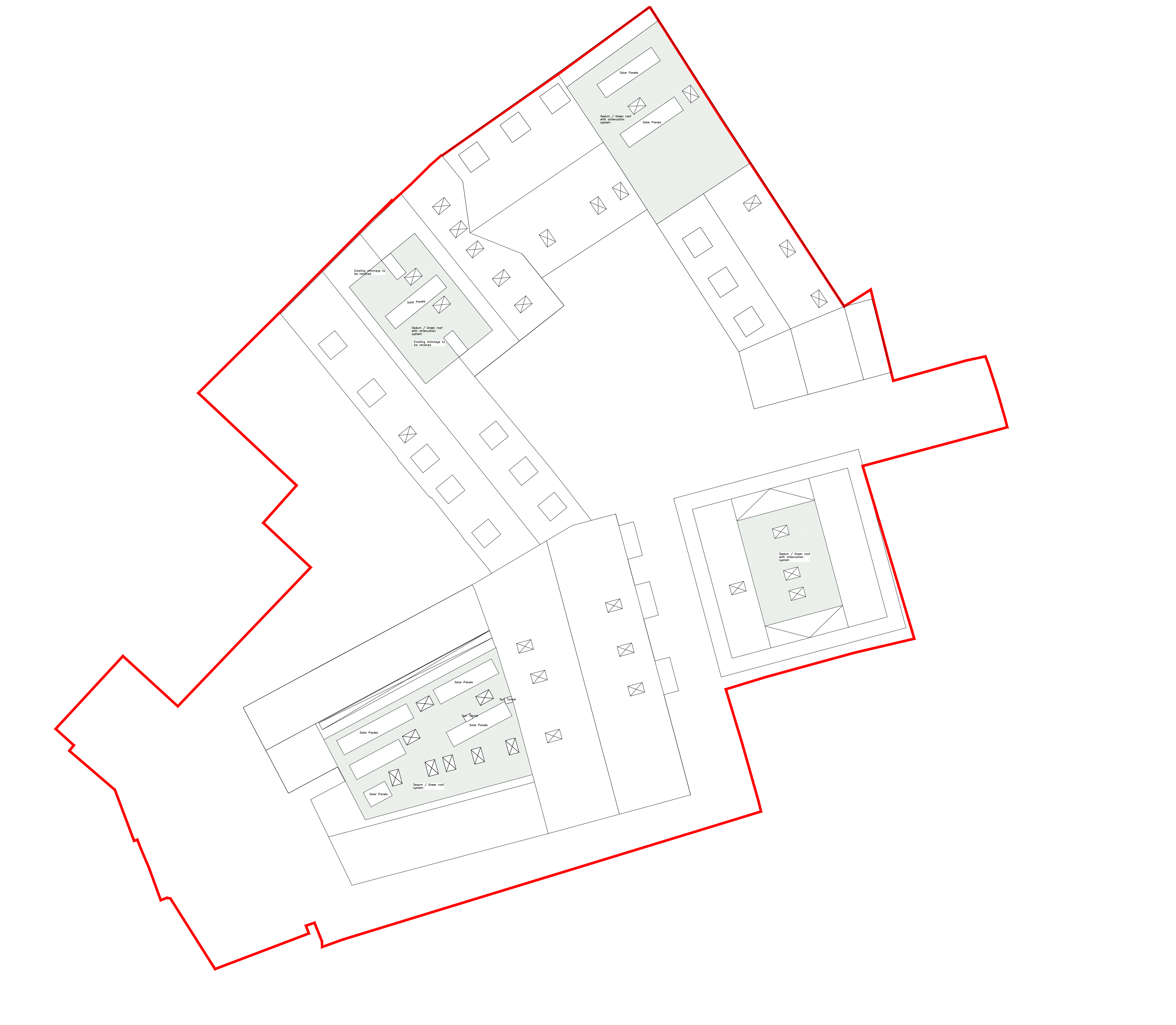
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Proposed Third Floor Plan  
Scale 1:150 @ A1





Schedule of Accomodation.			
	Unit Type	Beds	Area (Average) (m <sup>2</sup> )
Commercial	C1	N/A	51
	C2	N/A	53
	C3	N/A	46
	C4	N/A	53
	C5	N/A	85
	C6		92
	C7		31
		Sub-Total	
Flats	1	1	45
	2	1	43
	3	1	41
	4	1	47
	5	1	45
	6	1	43
	7	1	41
	8	1	47
	9	1	42
	10	1	46
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	27	2	68
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	29	1	38
	30	1	43
	31	1	51
	32	1	44
	33	2	68
	34	2	68
	35	2	69
	36	1	52
	37	1	45
	38	2	68
	39	2	69
	40	1	50
	Sub-Total	40	2038 m <sup>2</sup>
Totals			
	Unit No.	Area (m <sup>2</sup> )	Area (ft <sup>2</sup> )
Commercial	6	421	4525
Residential	40	2038	21908

Project.	13 High Street, Poole
Client.	Shore Holdings Ltd
Drawing Title.	Proposed Roof Plan

Scale.	1:150 @ A1
Drawing No.	122.1 GA.05.05d

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Proposed Fourth Floor Plan  
 Scale 1:150 @ A1





Proposed Building 1+2 (South) Front Elevation Scale 1:100 @ A1



Proposed Building 2+ HS 3 +HS 2 (East) Side Elevation Scale 1:100 @ A1

Project.	13 High Street, Poole
Client.	Shore Holdings Ltd
Drawing Title.	Proposed Elevations 1
Scale.	1:100 @ A1
Drawing No.	122.1 GA.06.01c

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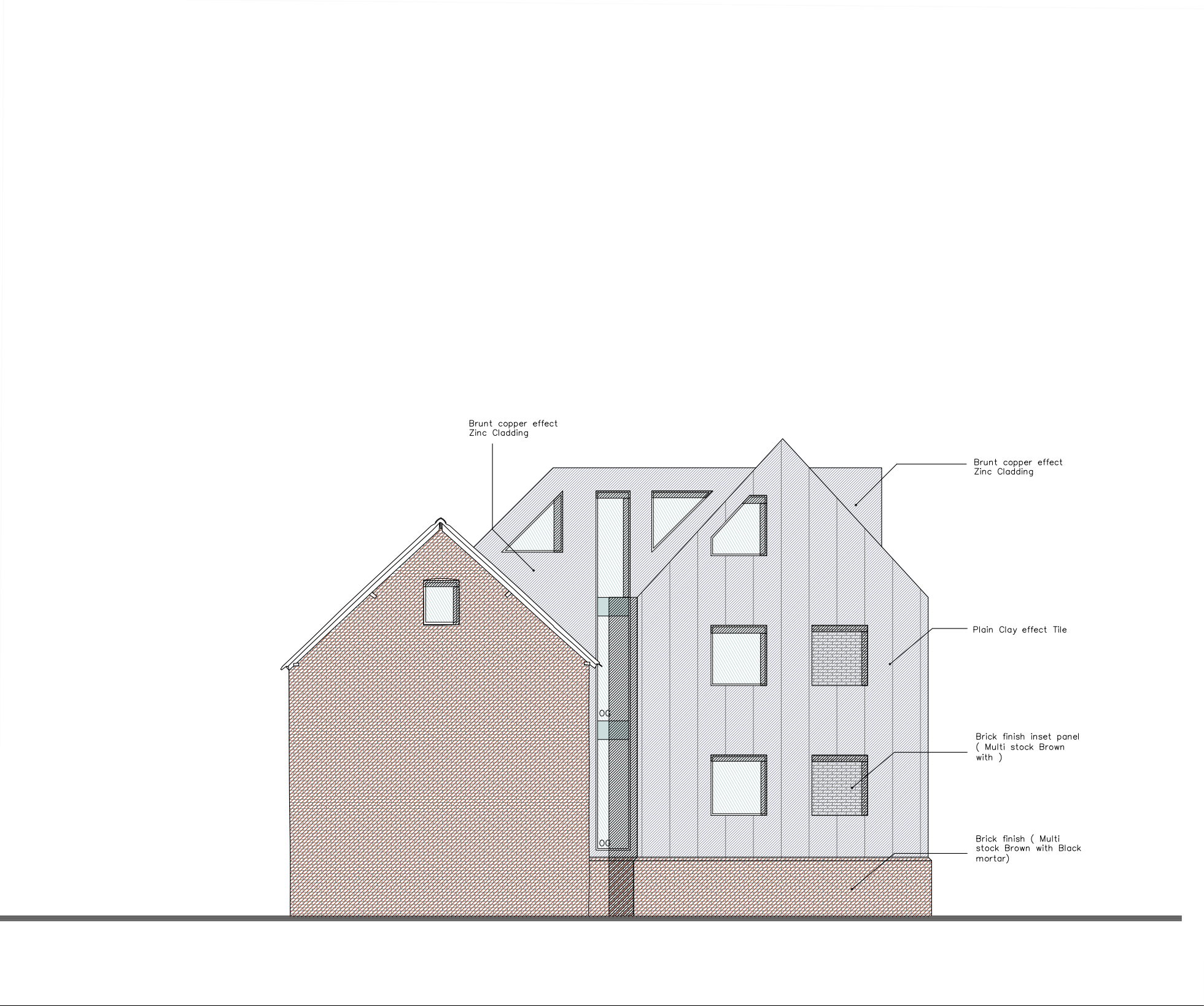
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Proposed Building 1+2 (North) Rear Elevation Scale 1:100 @ A1



Proposed Building 1 (West) Side Elevation Scale 1:100 @ A1



Proposed Building 2 + HS3 (West) Side Elevation Scale 1:100 @ A1

Project.	13 High Street, Poole
Client.	Shore Holdings Ltd
Drawing Title.	Proposed Elevations 2
Scale.	1:100 @ A1
Drawing No.	122.1 GA.06.02c

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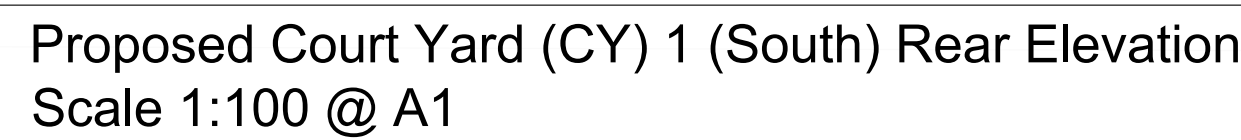
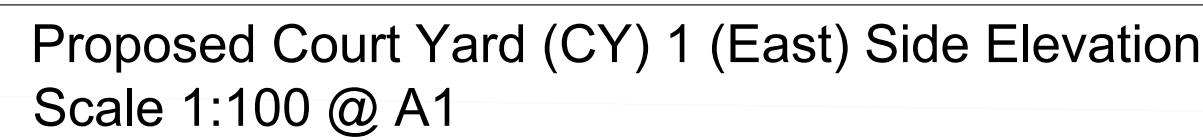
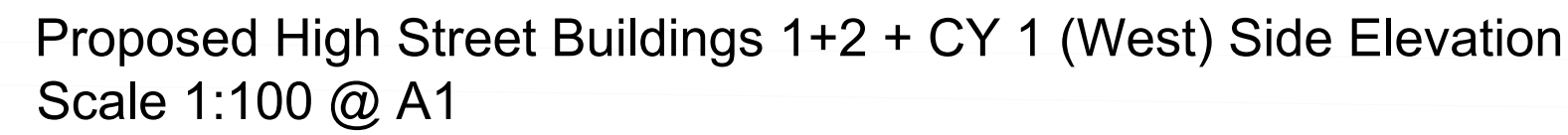
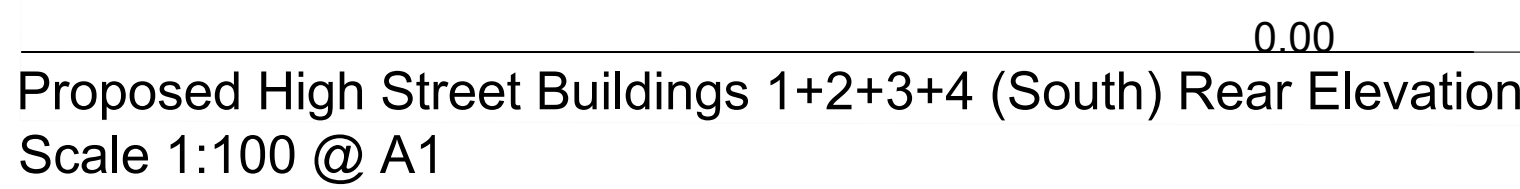
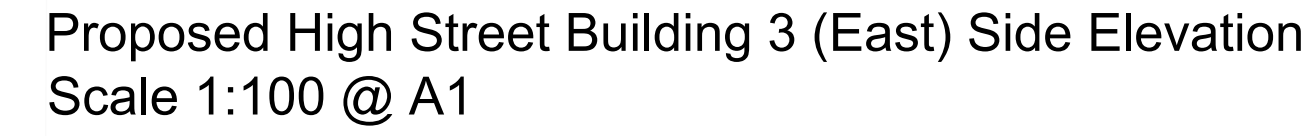
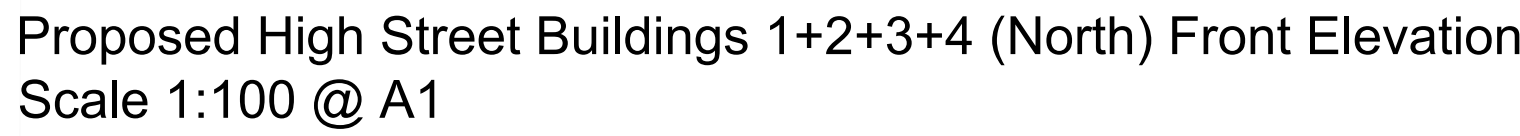
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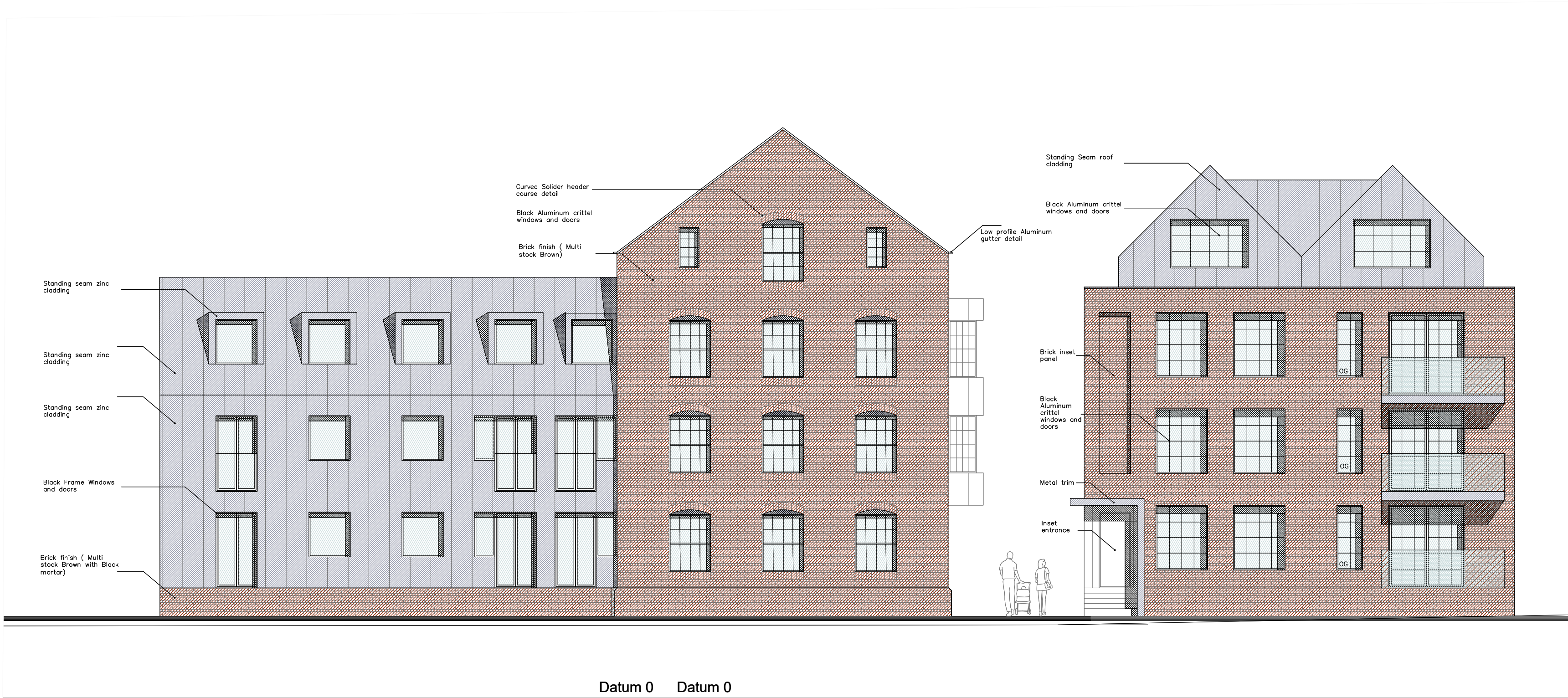




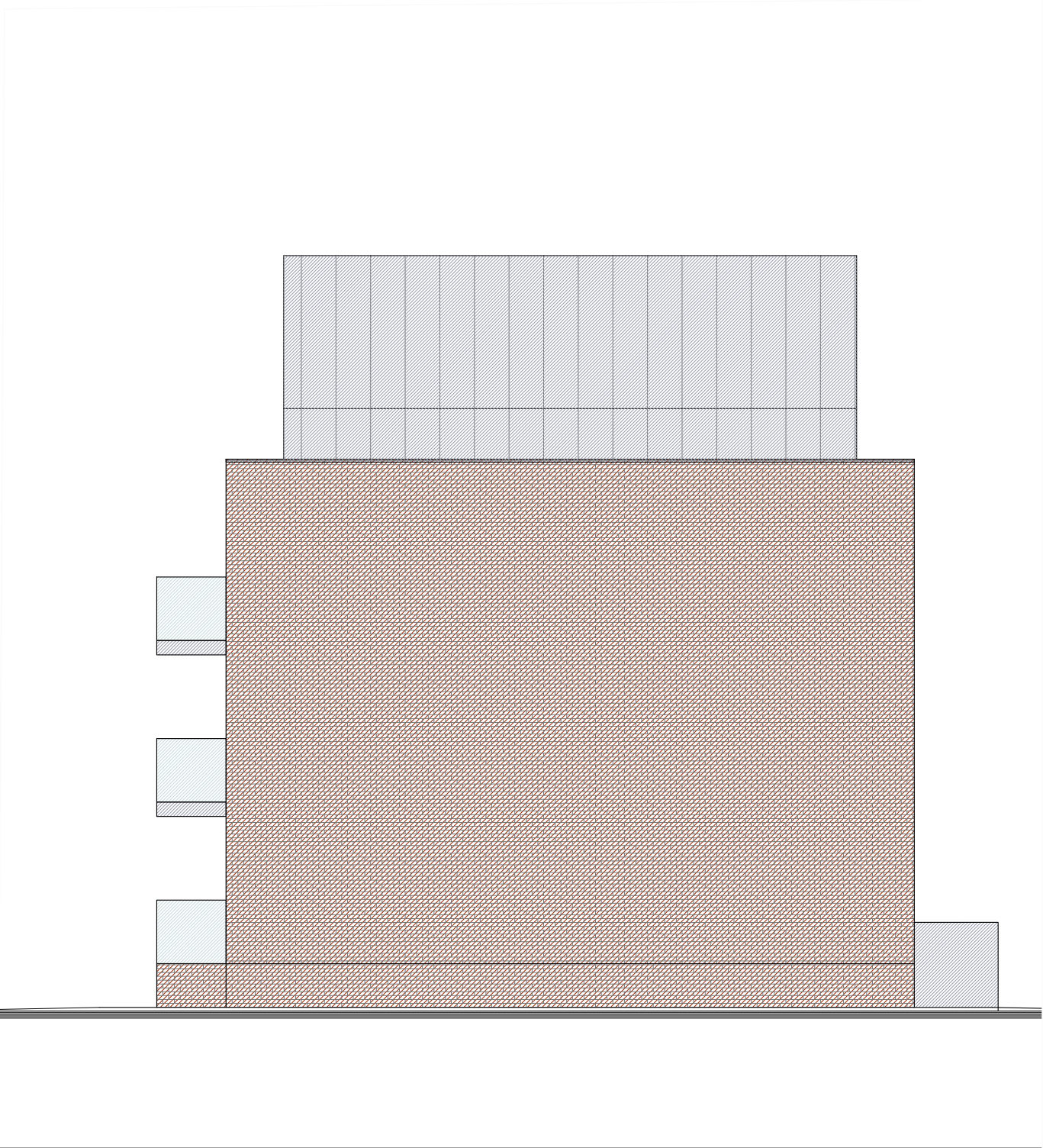


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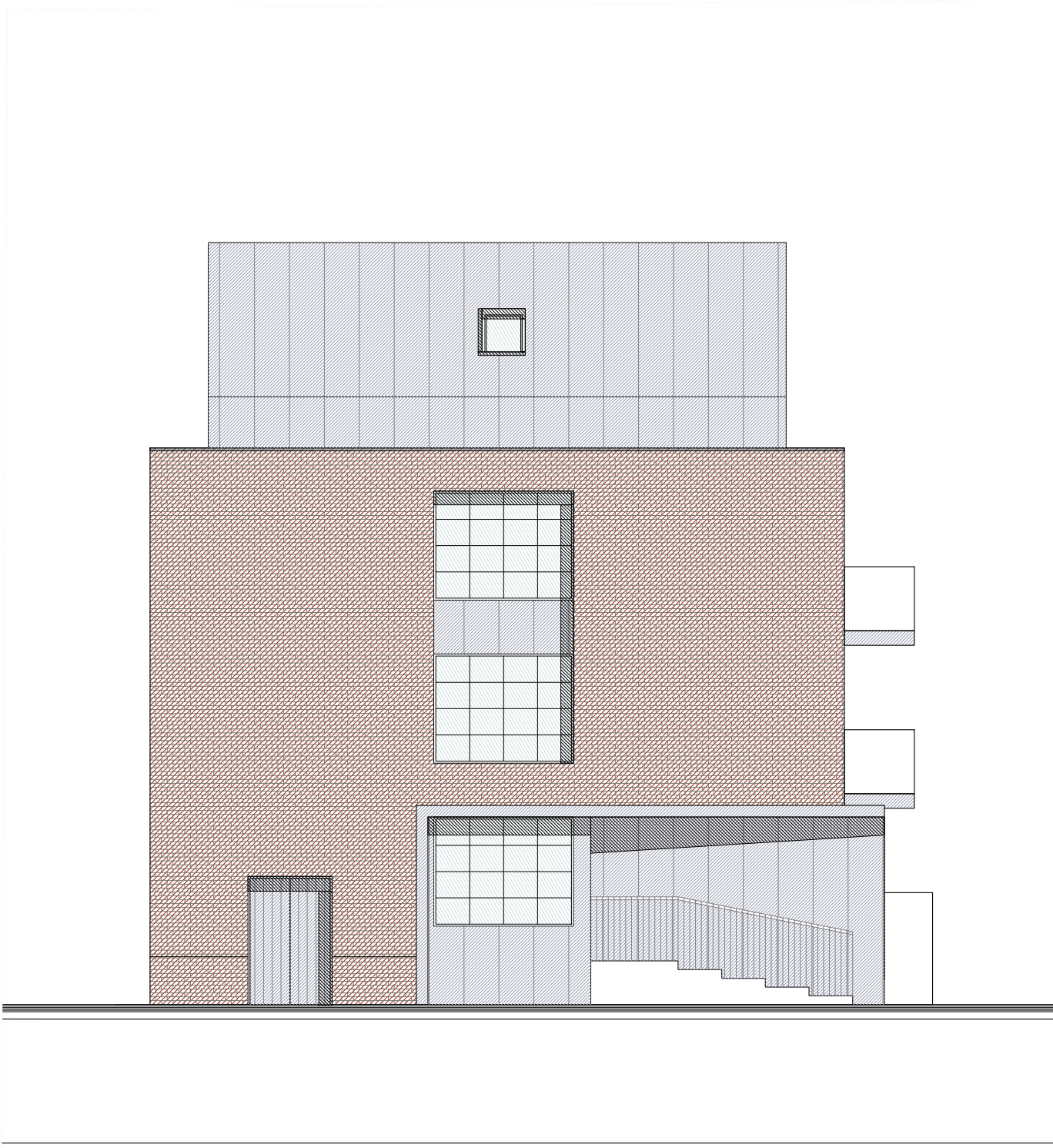
Proposed Building 1+2+3 Front (South)  
Elevation Scale 1:100 @ A1



Proposed Building 3 Side (East) Elevation Scale  
1:100 @ A1



Proposed Building 3 Rear (North) Elevation  
Scale 1:100 @ A1



Proposed Building 3 Side (West) Elevation Scale  
1:100 @ A1

Proposed Fourth Floor Plan  
Scale 1:150 @ A1

Project.	13 High Street, Poole
Client.	Shore Holdings Ltd
Drawing Title.	Proposed Elevations 4

Scale.	1:100 @ A1
Drawing No.	122.1 GA.06.04c

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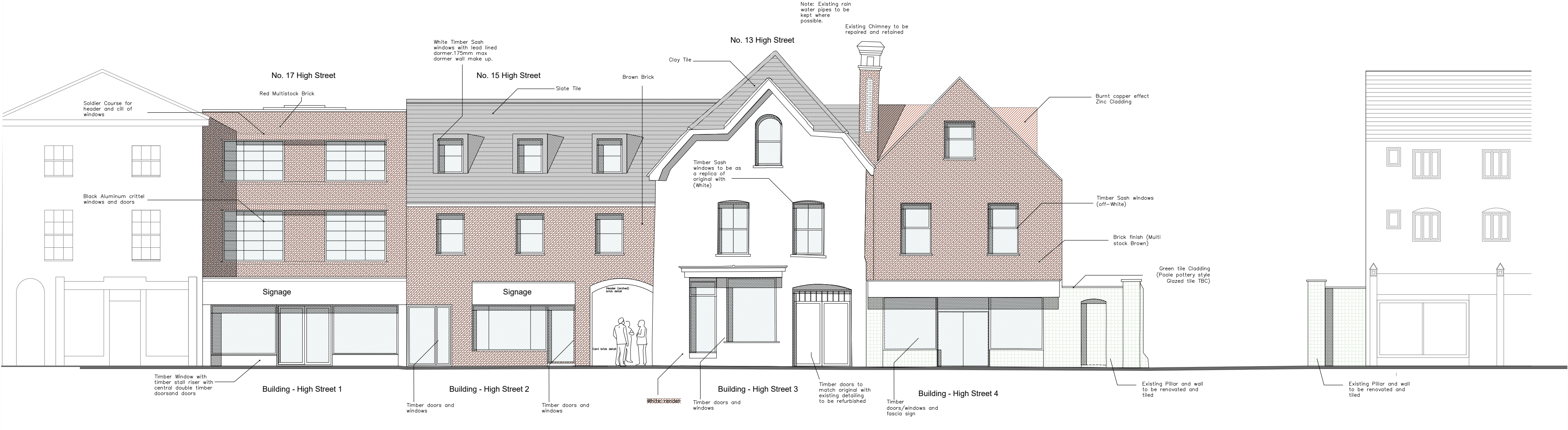
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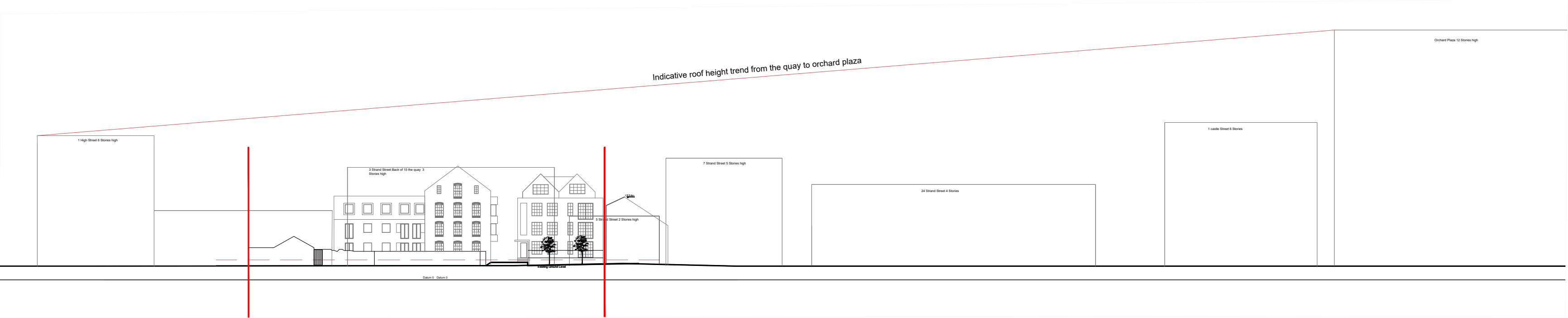




Proposed High Street Scene Scale 1:100



Proposed Strand Street Scene Scale 1:100



Proposed Strand Street Indicative Building Heights Scale 1:200

Project.	13 High Street, Poole
Client.	Shore Holdings Ltd
Drawing Title.	Proposed Street Scenes

Scale.	1:100 / 1:200 @ A1
Drawing No.	122.1 GA.06c

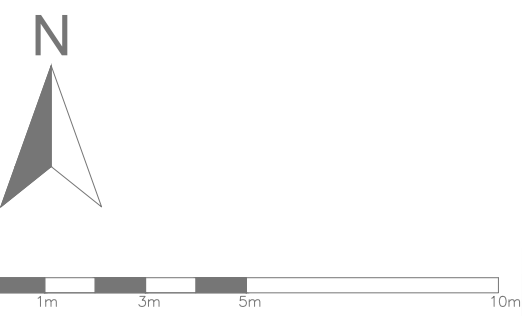
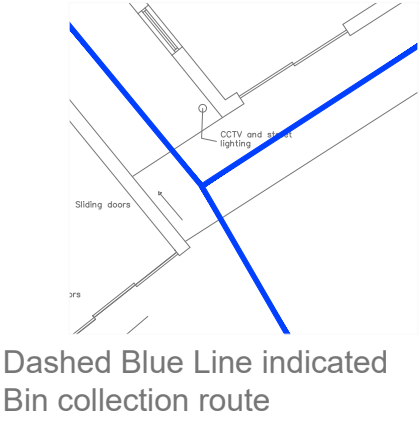
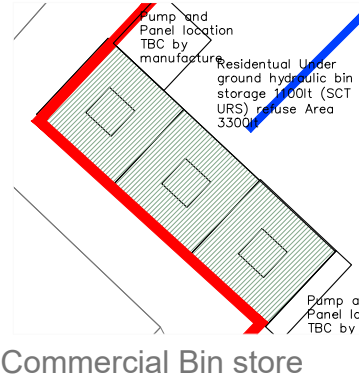
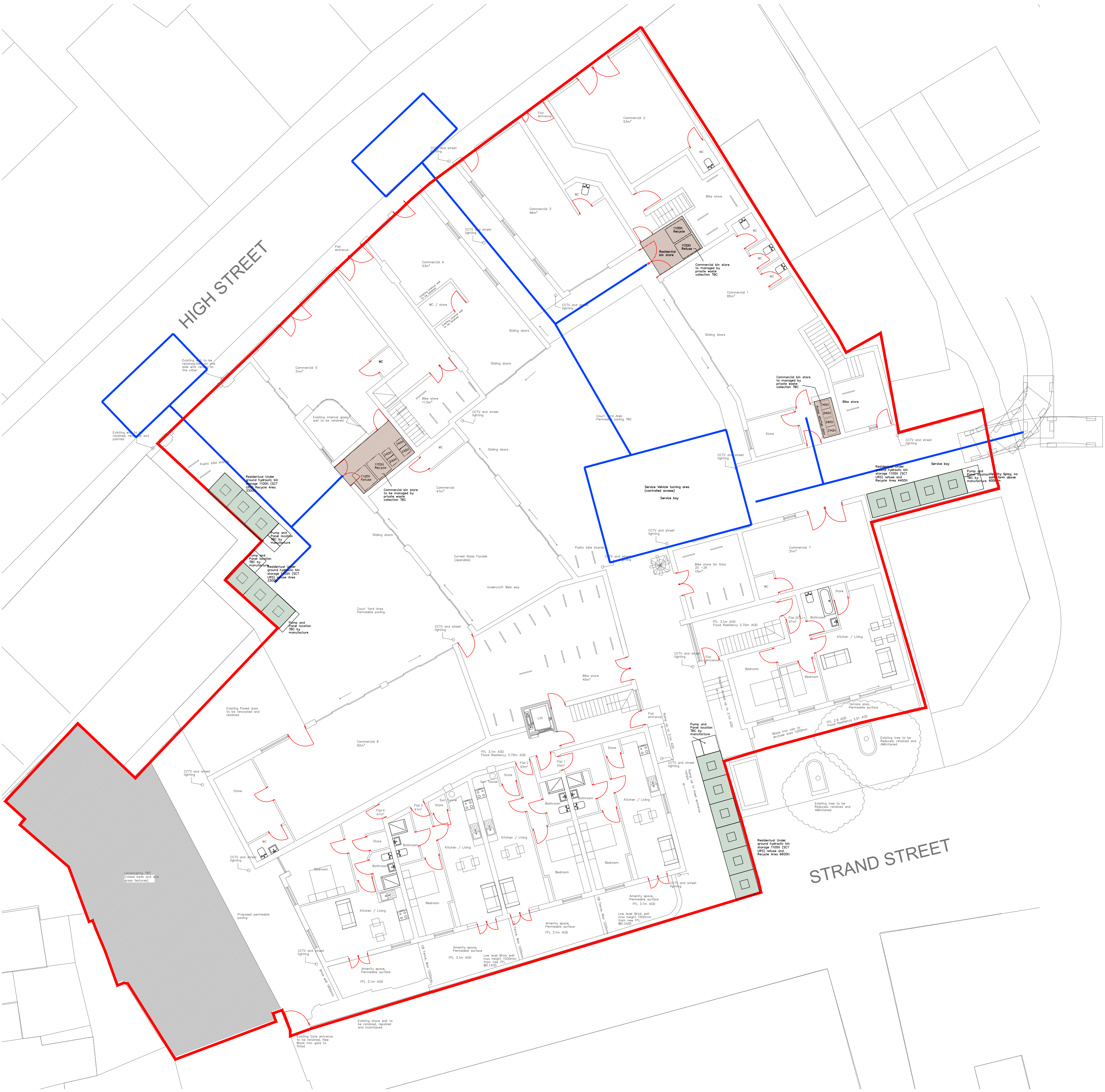
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Schedule of Accommodation.

Unit Type	Beds	Area (Average) (m²)
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4	1	47
5	1	45
6	1	43
7	1	41
8	1	47
9	1	42
10	1	46
11	2	65
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28	1	51
29	1	38
30	1	43
31	1	51
32	1	44
33	2	68
34	2	68
35	2	69
36	1	52
37	1	45
38	2	68
39	2	69
40	1	50
Sub-Total	40	2038 m²

Totals	Unit No.	Area (m²)	Area (ft²)
Commercial	6	421	4525
Residential	40	2038	21908

Project.	13 High Street, Poole
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Client.	Shore Holdings Ltd
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Drawing Title.	Proposed Servicing Plan
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Scale.	1:150 @ A1
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Drawing No.	122.1 GA.02.01c
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# Planning Committee

Application Address	<b>29 Cynthia Road, Poole, BH12 3JE</b>
Proposal	Sever land, demolish existing buildings and erect 3 No 2 bed houses with parking
Application Number	APP/22/00230/F
Applicant	BH Living Ltd
Agent	Anders Roberts and Associates
Ward and Ward Member(s)	Newtown and Heatherlands Councillor Millie Earl, Councillor Marion Le Poidevin and Councillor Mark Robson
Report status	Public Report
Meeting date	4 October 2022
<b>Summary of Recommendation</b>	<b>Grant with CIL subject to conditions</b>
Reason for Referral to Planning Committee	<p>Called in by Councillor Earl for the following reasons:</p> <ul style="list-style-type: none"> <li>- PP28 (2): lack of 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.</li> <li>- PP27 (a) layout and siting, height and scale does not reflect or enhance local patterns of development and neighbouring buildings</li> <li>- PP27 (c) would result in a harmful impact upon amenity for both local residents and future occupiers' privacy, and whether the development is overbearing or oppressive</li> <li>- Scheme in contravention to the BCP Parking Standards SPD specifically 3.2.3</li> </ul>
Case Officer	Caroline Palmer

## **Executive Summary**

0. There is an extant consent for a detached single-storey building containing two residential units with accommodation in the roof space and associated parking provision, as well as garaging and parking to the parent dwellings (APP/21/01437/F). The current scheme would intensify the use of the site as it proposes three detached houses. The principle of the erection of an additional three dwellings is acceptable in this sustainable location where higher density development is supported in accordance with the provisions of Policies PP2, PP34 and PP35.
1. The proposed houses would be set back from Cynthia Road and would therefore not be highly visible within that street scene. Whilst the proposed plots would be smaller than those associated with the prevailing character of the area, there are other examples of comparable sized plots within the area (for example rear of Nos.39-41 Cynthia Road). Each plot would have an acceptable area of amenity space for houses of this size in this area. This more comprehensive scheme is considered to be a good use of the site, providing three new homes whilst preserving the overall character of the area. The frontage of the existing houses would be allocated for parking, which is characteristic of dwellings along Cynthia Road.
2. The current proposal represents the maximum development that could comfortably be accommodated on the site and as such a condition removing permitted development rights for any additional extensions and windows should be imposed.
3. The closest neighbouring dwellings to the proposed houses would be Nos.41 and 43 Jacqueline Road. However, with back-to-back separation distances of in excess of 15 metres, neighbouring amenity would be preserved in terms of outlook, daylighting and dominance.
4. Ground floor windows are proposed on most elevations and the proposed boundary treatments would screen these windows from neighbouring properties. There are also windows proposed at first floor level on the front and rear elevations. However, with separation distances of in excess of 15 metres, this would not materially harm neighbouring privacy (in either Cynthia Road or Jacqueline Road).
5. Car parking and cycle parking provision would comply with the requirements within the Parking Standards SPD (adopted 5th January 2021) and electric vehicle charging points will be required and secured by condition. The proposed access to the site and the parent properties is considered to be acceptable.
6. The revised layout plan overcomes concerns that had been raised regarding the proximity of proposed units, parking spaces and electric vehicle charging points to protected and/or offsite trees that are to be retained.
7. The Ecological Impact Assessment Report submitted with the application concludes that the development proposal would result in the potential loss of foraging habitat for several bat species and common species of bird as well as

nesting habitat for birds. The legal protections offered to these different species means that mitigation will be required. The submitted Ecological Impact Assessment Report recommends several biodiversity enhancements in order to create a 10% net gain for biodiversity. By implementing the enhancements and mitigation detailed within the report, the proposed scheme would have a positive outcome for biodiversity on the site. The implementation of these recommendations will be secured by condition.

8. The proposed dwellings would be required to ensure that a minimum of 10% of their energy consumption is from renewable sources. This will be secured by condition.
9. The securing of relevant contributions toward habitat issues has been achieved via appropriate legal arrangements.

### **Description of Proposal**

11. Full planning consent is sought to sever the land, demolish the existing buildings and erect 3 No 2 bed houses with associated parking.

### **Description of Site and Surroundings**

12. The application site is located on the northern side of Cynthia Road and is occupied by 2no two storey, detached dwellings which have a traditional position on the plot towards the site frontage close to the highway. The two dwellings share their driveway which extends as far back as the existing garages. The existing plots are deep and linear.
13. Cynthia Road is of a residential character and is characterised predominantly by detached bungalows or houses which front directly onto the highway and are set in long plots. Many plots in the vicinity have outbuildings in the rear associated with the enjoyment of the dwelling house.

### **Relevant Planning History**

14. **01/12/2021:** Demolition of the existing rear outbuildings and to erect a single storey semi-detached building consisting of 2 no. residential units, together with the construction of 2 single garage buildings & associated front parking areas for no.29 & 31 Cynthia Road. (APP/21/01437/F). **Grant Subject to CIL Contribution.**
15. **23/02/2018:** Demolition of the existing rear out buildings and greenhouses and to erect a single storey semi-detached building consisting of 2 no. residential units, together with the construction of 2 no. single garage buildings & associated front parking areas for no. 29 & 31 Cynthia Road. (APP/17/01728/F). **Grant Subject to CIL Contribution.**

Land r/o 39-41 Cynthia Road



16. **18/12/2019:** Demolish existing garage to 39 Cynthia Road. Sever land from rear of 39 and 41 and erect 2 no. 3 bed and 1 no. 2 bed detached chalet bungalows with parking (APP/19/01288/F). **Grant subject to CIL Contribution.**

### **Constraints**

17. There are no specific constraints on this site.
18. The lime tree on the eastern boundary of No.31 is, however, protected by a Tree Preservation Order.
19. The site is located within the Sustainable Transport Corridor.

### **Public Sector Equalities Duty**

20. 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**

21. 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.
22. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
23. 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**

24. BCP Highway Authority - support the scheme as shown on the amended plans.
25. BCP Waste Collection Authority - no objection subject to a condition requiring the bins to be presented at a collection point on refuse collection day.

However, it is not considered that this condition is necessary or enforceable in this case.

26. BCP Arboricultural Team - no objection subject to conditions
27. BCP Environmental Services (Biodiversity) - Support the proposal subject to condition securing the biodiversity and ecological compensation and enhancement measures set out in the submitted Ecological Impact Assessment Report and prohibiting vegetation clearance during the bird breeding season.

### **Representations**

28. In addition to letters to neighbouring properties, a site notice was posted outside the site on 11th March 2022.
29. Three letters of representation have been received. The issues raised comprise the following:
  - The impact on the amenities of neighbouring homes - especially in relation to privacy.
  - The impact on car parking in the area.
  - The impact on the character and pattern of development of/in the area.
  - The impact on trees.
  - The impact on local amenities.
  - Substandard access and the impact on highway safety.
30. The Society for Poole – Object on the grounds that the proposal lacks space around the existing and proposed dwellings which raises questions regarding health and safety and access for service and emergency vehicles.

### **Key Issues**

31. The key issues involved with this proposal are:
  - Presumption in favour of sustainable development
  - The principle of development
  - Impact on the setting and character of the site and surrounding area
  - Impact on residential amenities
  - Parking and access
  - Impact on protected trees
  - Ecological issues
  - Environmental efficiency and reduction in energy use
  - CIL compliance/relevant mitigation

### **Policy Context**

32. Local documents:

Poole Local Plan (Adopted 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

### Supplementary Planning Documents

- SPD Parking Standards SPD (adopted January 2021)
- SPD Dorset Heathlands Planning Framework (2020-2025)
- SPD Poole Harbour Recreation SPD (2019-2024)
- SPD Nitrogen Reduction in Poole Harbour (Adopted Feb 2017)

### 33. 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."

### Planning Assessment

#### Presumption in favour of sustainable development

- 34. 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.
- 35. 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.

36. 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.
37. 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, it is therefore appropriate to regard relevant policies as out of date as the local planning authority is unable to demonstrate a five-year supply of homes.
38. For this planning application the benefits provided from the supply of new homes are considered to carry some weight in the planning balance.

#### Principle of the proposed development

39. There is extant consent on the site for a detached single-storey building containing two residential units (APP/21/01437/F). The current scheme would intensify the use of the site as it proposes three detached houses.
40. 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. A sustainable transport corridor is defined by the Poole Local Plan as being 400 metres either side of a road capable of extending service provision by the end of the plan period to four buses per hour (each way) or within 500 metres radius of a railway station. 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.
41. 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 to be applied to the provision of additional residential accommodation which meets these policy objectives.
42. In this instance, the application site is located within the sustainable transport corridor as identified by Policy PP2 and indicated on the Proposals Map, being located in a highly sustainable location in close proximity to services and facilities and with access to high frequency public transport service stops, where the

majority of housing and higher density development should be directed. As such, the principle of the erection of an additional three dwellings is acceptable in this sustainable location where higher density development is supported, in accordance with the provisions of Policies PP2, PP34 and PP35.

#### Impact on the setting and character of the site and surrounding area

43. Policy PP27 requires that development “(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.
44. The proposed dwellings would be set back significantly from Cynthia Road, however, would be visible through the gaps between the existing houses. Given their siting and the retention of the houses to the front of the site, the footprint, scale and height of the buildings would be appropriate for their setting and would not dominate the street scene. The proposed scheme is similar to that recently built at the rear of Nos.39 and 41 Cynthia Road (APP/19/01288/F). The houses would be of a similar scale and the rear gardens would be of a similar length. The current application would provide an increased level of soft landscape to the front of the proposed houses, which would soften their impact and provide more of a buffer between them and the neighbouring homes.
45. The proposed houses would sit comfortably on the application site. However, it is considered that the current proposal represents the maximum development that could comfortably be accommodated on the site and as such it is considered that it would be appropriate to remove permitted development rights for any additional extensions and windows that can be secured by the imposition of a condition.
46. The resultant plots would be smaller than the prevailing character of the surrounding area. However, each dwelling would have a suitable and sufficient area of private amenity space to the rear to reasonably meet the needs of the future occupiers and this more comprehensive scheme is considered to be a good use of the site, providing three new homes in keeping with the emerging character of the area.
47. The frontage of the existing houses would be allocated for parking. This arrangement is characteristic of dwellings along Cynthia Road and therefore would not be harmful to the character and appearance of the street scene.
48. In conclusion, the proposal would preserve the character and appearance of the area in line with the provisions of Policies PP27 and PP28 of the Poole Local Plan.

#### Impact on residential amenities

49. The closest neighbouring dwellings to the proposed houses would be Nos.41 and 43 Jacqueline Road. However, with back-to-back separation distances of in excess of 15 metres, neighbouring amenity would be preserved in terms of

outlook, sunlight/daylight and dominance. The distance between the proposed houses and the parent properties on Cynthia Road is also sufficient so as not to cause material harm to the occupiers of those dwellings.

50. Ground floor windows are proposed on the majority of elevations. The proposed boundary treatments would screen these windows from neighbouring properties and a condition can be imposed in relation to the provision of further details of this. There are also windows proposed at first floor level to the front and rear elevations of the proposed new dwellings. However, with separation distances of in excess of 15 metres, any overlooking that may arise would not materially harm neighbouring privacy (in either Cynthia Road or Jacqueline Road). The proposed roof lights could give rise to some overlooking, but this would mainly be between the proposed dwellings themselves. The proposed rooflight directly adjacent to the rear garden of No.33 Cynthia Road (on the east elevation of unit 3) can be reasonably conditioned to be obscure glazed in order to prevent any overlooking of that neighbouring garden.
51. For these reasons, the proposals are considered to be compatible with surrounding uses and not result in a harmful impact upon amenity for both local residents and future occupiers in relation to sunlight and daylight, privacy and whether the development is overbearing or oppressive. The scheme would provide satisfactory external and internal amenity space for both future and existing occupiers. The proposal would therefore comply with the provisions of Policy PP27 of the Poole Local Plan.

#### Parking and access

52. The existing vehicle access will be used as a shared access to serve the three proposed dwellings to the rear of the site, whilst it is of sufficient width to provide a passing area within the site at the entrance which will allow two vehicles to pass each other and prevent vehicles having to wait on the highway or reverse back onto the highway to allow another vehicle to pass.
53. In relation to the existing dwellings, the proposal is to provide parking for two vehicles on the frontages. The amended plans show these as parallel with the carriageway and vehicles could therefore utilise the shared vehicle driveway to turn and the existing dropped crossing to enter onto the highway in a forward gear. This will enable a low wall to be retained/provided across the frontage of the existing dwellings. Pedestrian visibility splays are provided on either side of the shared access and can be secured by condition.
54. The access drive is wide enough to allow vehicles to safely pass cyclists/pedestrians, although a scheme of lighting along the access drive is required to further improve safety. This can be secured by condition.
55. There are three secure and covered cycle stores proposed for the new dwellings and these are acceptable.
56. Six car parking spaces are proposed to the rear of the site, which would equate to two car parking spaces for each new dwelling and this level of provision meets

the standards set out within the BCP Parking Standards SPD. There is adequate turning provision to allow vehicles to exit the site in a forward gear.

57. The Parking Standards SPD (adopted 5th January 2021) outlines requirements for Electric Vehicle Charging in new development and the plans show an EV charging point for each parking space for the new dwellings. Active and passive are defined within the Parking Standards SPD (page 23) and these matters can be secured through a condition.

#### Impact on protected trees

58. There are several trees that are located on the adjacent sites but in close proximity to the boundaries of the application site that includes a large, mature Lime tree (T1) that is the subject of a Tree Preservation Order and that provides a good level of public amenity. The revised layout, decreases the separation between the proposed dwellings and the protected Lime tree (T1), as well as the retained tree T5 on the adjacent sites, as shown on the Hellis Solutions Ltd Tree Constraints Plan. Hard surfacing is also shown within the calculated root protection area of the protected Lime tree T1. Nevertheless, the Council's Arboricultural Officer has advised that with the implementation of appropriate tree protection measures and "no-dig" surfacing, it is possible to construct the proposed development without adversely affecting the health and amenity of these two trees.
59. In order to ensure that retained trees are protected throughout the course of development a tree protection plan and arboricultural method statement will need to be submitted to, and approved in writing by, the Local Planning Authority prior to work commencing on site. This can be secured by a planning condition.

#### Ecological issues

60. The Ecological Impact Assessment Report submitted with the application concludes that the development proposal would result in the potential loss of foraging habitat for several bat species and common species of bird as well as nesting habitat for birds. The legal protections offered to these different species means that mitigation will be required. The submitted Ecological Impact Assessment Report recommends the following biodiversity enhancements in order to create a 10% net gain for biodiversity (more detail is given in the report):
- The provision of a 24 bird brick nest box;
  - The provision of a bat tube within the wall of each of the new buildings;
  - At least three new trees to be planted on the site;
  - The provision of a bee brick; and
  - The provision of a corridor of connectivity for hedgehogs.
61. By implementing the enhancements and mitigation detailed within the report, the proposed scheme would have a positive outcome for biodiversity on the site, in

line with the provisions of Policy PP33 of the Poole Local Plan (2018). The implementation of these recommendations can be secured by condition.

#### Environmental efficiency and reduction in energy use

62. The proposed dwellings would be required to ensure that a minimum of 10% of their energy consumption is achieved from renewable sources. This can be secured by condition. As such, the scheme would comply with the provisions of Policy PP37 of the Poole Local Plan (2018).

#### Other issues

63. The comments in relation to the impact on services/amenities in the area are noted. However, this will be addressed through the CIL contribution payable for the development.

#### **Section 106 Agreement/CIL compliance**

<b>Contributions Required</b>			<b>Dorset Heathland SAMM</b>	<b>Poole Harbour Recreation SAMM</b>
Flats	Existing	0	@ £292	@ £104
	Proposed	0		
	Net increase	0	£0	£0
Houses	Existing	0	@ £428	@ £152
	Proposed	3		
	Net increase	3	£428	£152
Total Contributions			£1284 (plus admin fee)	£456 (plus admin fee)
CIL	Zone C		@ £120.06 sq m	



64. 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.
65. 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
66. 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.
67. The applicant has submitted a Section 111 form and paid the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM.

### **Planning Balance/Conclusion**

68. The principle of development is acceptable as the application site is located within the sustainable transport corridor as identified by Policy PP2 of the Poole Local Plan. The tilted balance is engaged as per NPPF para 11(d) and there are no demonstrable reasons to refuse the scheme. It is also considered that approval would accord with the NPPF as an important material consideration.
69. The proposed scheme would preserve the character of the site and surrounding area.
70. The proposed scheme would cause no material harm to the light, outlook or privacy currently enjoyed by the occupiers of any neighbouring home.
71. The proposed scheme provides acceptable parking and access.
72. The proposed scheme is acceptable in arboricultural terms.
73. The proposed scheme will have a positive outcome for biodiversity on the site by implementing the enhancements and mitigation detailed within the Ecological Report, which is required by condition.

74. The proposed dwellings will provide a minimum of 10% of energy consumption from renewable sources as secured by condition.
75. The relevant contributions have been secured.

### **Background Documents**

76. Case File ref: APP/22/00230/F and APP/21/01437/F

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

### **Recommendation**

It is therefore recommended that this application be granted permission subject to CIL contribution and the following conditions:

1. GN150 (Time Expiry 3 Years (Standard))

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. PL01 (Plans Listing)

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

Site, block and location plan (drawing number 9559/100 revision C) received 10/08/2022;

Floor plans and elevations - unit 1 (drawing number 9559/101 revision A) received 07/07/2022;

Floor plans and elevations - unit 2 (drawing number 9559/102 revision A) received 10/08/2022;

Floor plans and elevations - unit 3 (drawing number 9559/103 revision A) received 07/07/2022;

Ecological Impact Statement by Abbas Ecology received 06/04/2022; and  
Tree Survey and Impact Assessment by Hellis dated April 2022 ref 22/03/82/SV received 09/05/2022.

Reason -

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

3. GN050 (Matching Materials)

The materials to be used for the external wall and roof shall be as detailed on the approved plans and the application form.

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. GN162 (Renewable Energy - Residential)

Prior to first occupation of the building(s) hereby permitted, details of measures to provide 10% of the predicted future energy use of each dwelling 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).

#### 5. HW100 (Parking/Turning Provision)

The development hereby permitted shall not be brought into use until the access, turning space, 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. The shared turning area, being the whole area of hardstanding to the front of the car parking spaces and cycle stores, coloured light brown on the approved plan, shall be kept clear and remain available for the use as a vehicle turning area at all times. To this end no walls, fences, landscaping, vehicles or structures that would obstruct these vehicle turning movements shall be placed within this shared turning area.

#### Reason -

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

#### 6. HW200 (Provision of Visibility Splays)

Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent re-enactment thereof, visibility splays as indicated on the approved plans shall be provided and any 29

#### Reason -

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

7. HW240 (Electric Vehicle Charging Points)

Within 3 months of the commencement of the development, hereby approved, details of the provision of Electric Vehicle Charging Points and associated infrastructure shall be 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).

8. AA01 (Non standard Condition)

Prior to the first occupation of any residential unit, hereby approved, details of a proposed scheme of lighting along the access drive, to include details and specification of the type of lighting proposed, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall then be implemented prior to first occupation of any new residential unit hereby approved and thereafter retained and maintained to ensure the lighting remains in full working order at all times.

Reason -

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

9. AA01 (Non standard Condition)

Prior to the first occupation of any of the dwellings, hereby approved, the mitigation measures set out within sections 9.0 and 10.0 of the Ecological Impact Assessment prepared by Abbas Ecology and dated September 2021 shall be fully implemented, unless otherwise agreed in writing by the Local Planning Authority.

Reason -

To ensure that the development will not result in any adverse impacts and secures a net gain for biodiversity and in accordance with Policy PP33 of the Poole Local Plan (November 2018).

10. AA01 (Non standard Condition)

Vegetation clearance on this site should be carried out outside the bird breeding season of 1<sup>st</sup> March to 31<sup>st</sup> August inclusive, unless it can be sufficiently checked by an ecologist to show that nesting birds are not present

Reason -

To prevent disturbance to birds' nests as protected under the Wildlife and Countryside Act 1981 (as amended).

11. HW230 (Permeable surfacing condition)

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).

#### 12. RC010 (Remove Residential Permitted Development)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the Town and Country Planning Act 1990 (as amended), or any subsequent re-enactment thereof, no further garage, extensions, dormers and windows other than those authorised by this permission shall be erected or inserted without express planning permission first being obtained from the Local Planning Authority.

Reason -

To prevent the overdevelopment of the site and material harm to the amenities of neighbouring homes and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

#### 13. LS020 (Landscaping Scheme to be Submitted)

Proposals for the landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels.

Upon approval:

- a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- d) the whole scheme shall be subsequently retained.

Reason -

In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

#### 14. AA01 (Non standard Condition)

A scheme to close the existing access (which is to be made redundant) shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include provision to raise the existing lowered kerbs, reinstate the footway to the existing access and shall comply with the standards adopted by the Local Highway Authority. All works shall be completed in accordance with the approved scheme prior to the first occupation of the dwellings hereby approved.

Reason –

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

#### 15. AA01 (Non standard Condition)

An arboricultural method statement prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:-

- a) a tree protection plan that complies with BS5837:2012.
- b) ensure an area for storage of materials, concrete mixing and use of fires is provided;
- c) ensure the plans and particulars showing the siting of the service and piping infrastructure is implemented;
- d) ensure the works requiring arboricultural supervision are carried out by the developer's arboricultural consultant, and details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits are recorded;

Reason -

In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

#### 16. GN090 (Obscure Glazing of Window(s))

Both in the first instance and upon all subsequent occasions, the velux window on the east elevation of unit 3 shall be glazed in glass which conforms to or exceeds Pilkington Texture Glass Privacy Level 3 and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of opening.

Reason -

To protect the amenity and privacy of the adjoining properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

### **Informative Notes**

1. IN72 (Working with applicants: Approval)

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

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

Also:

- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified; and
- the application was considered and approved without delay.

## 2. IN74 (Community Infrastructure Levy - Approval)

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. IN81 (SAMM Approval)

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

## 4. IN00 (Non Standard Informative)

The Council, under section 46 of the Environmental Protection Act 1990, can specify the type of bin provided for waste collections, where bins are to be placed for emptying, the items that may or may not be put into bins and the steps to be taken by occupiers to assist the collection of waste. The EPA s46 (4e-g) state that collection arrangements (including the time when receptacles must be placed for collection and subsequently removed) can be set by the Council. With regards to these collection arrangements, the Council's website provides clear instructions of when and where bins need to be put out for collection and returned to your property <https://www.bcpccouncil.gov.uk/Bins-waste-and-recycling/Bins/Household-rubbish-bin-collections.aspx>

Regarding bin placement on the highway, the Highways Act 1980 section 130 imposes a duty on the Highway's Authority to assert and protect the rights of the public to use and enjoy the highway. This general duty is reinforced by s.130 (3) which states that the Highway Authority have a duty to prevent, as far as possible, the obstruction of the highway.

#### 5. IN84 (AA passed)

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.

#### 6. IN82 (Demolition of Buildings)

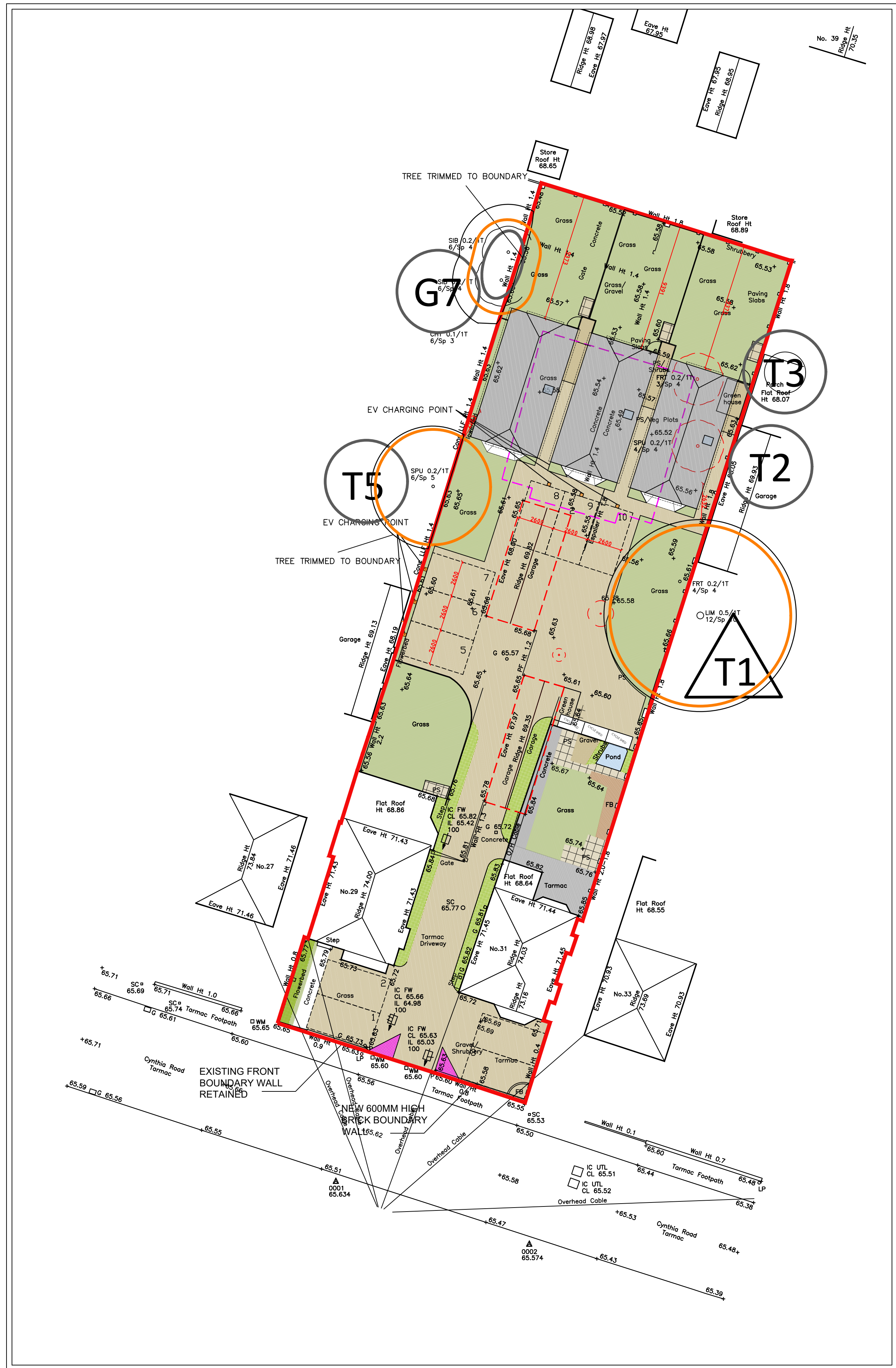
Applicants are advised of the need to notify the Council, under Section 80 of The Building Act 1984, of the proposed demolition of a building, which is over 1750 cubic feet, or which is not within the exemption criteria expanded within the Act.

An application form, with a list of required notifications, is available from Building Consultancy Services to assist applicants. Once appropriately notified, the Council will issue a counter notice which authorises the demolition, subject to certain standard conditions relating to health and safety issues and amenity preservation.



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SITE PLAN  
BASED ON TOPO INFORMATION  
SCALE 1:200 @ A1

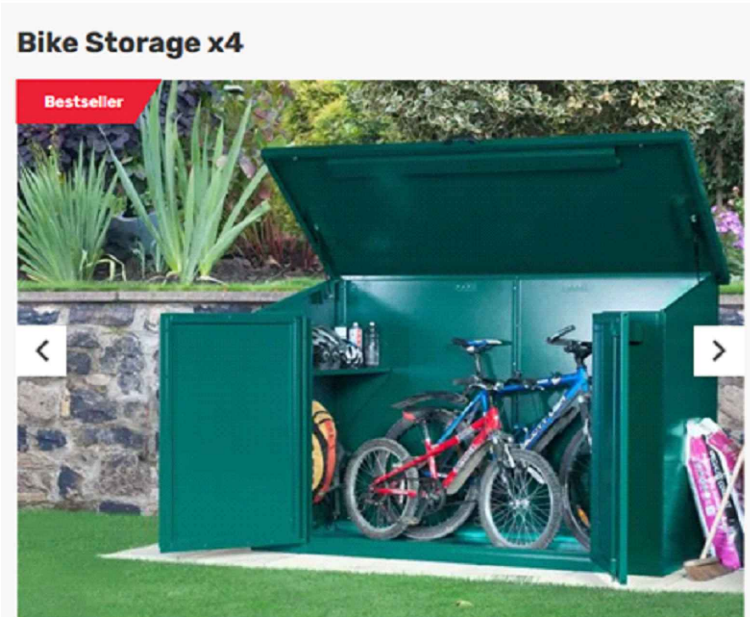
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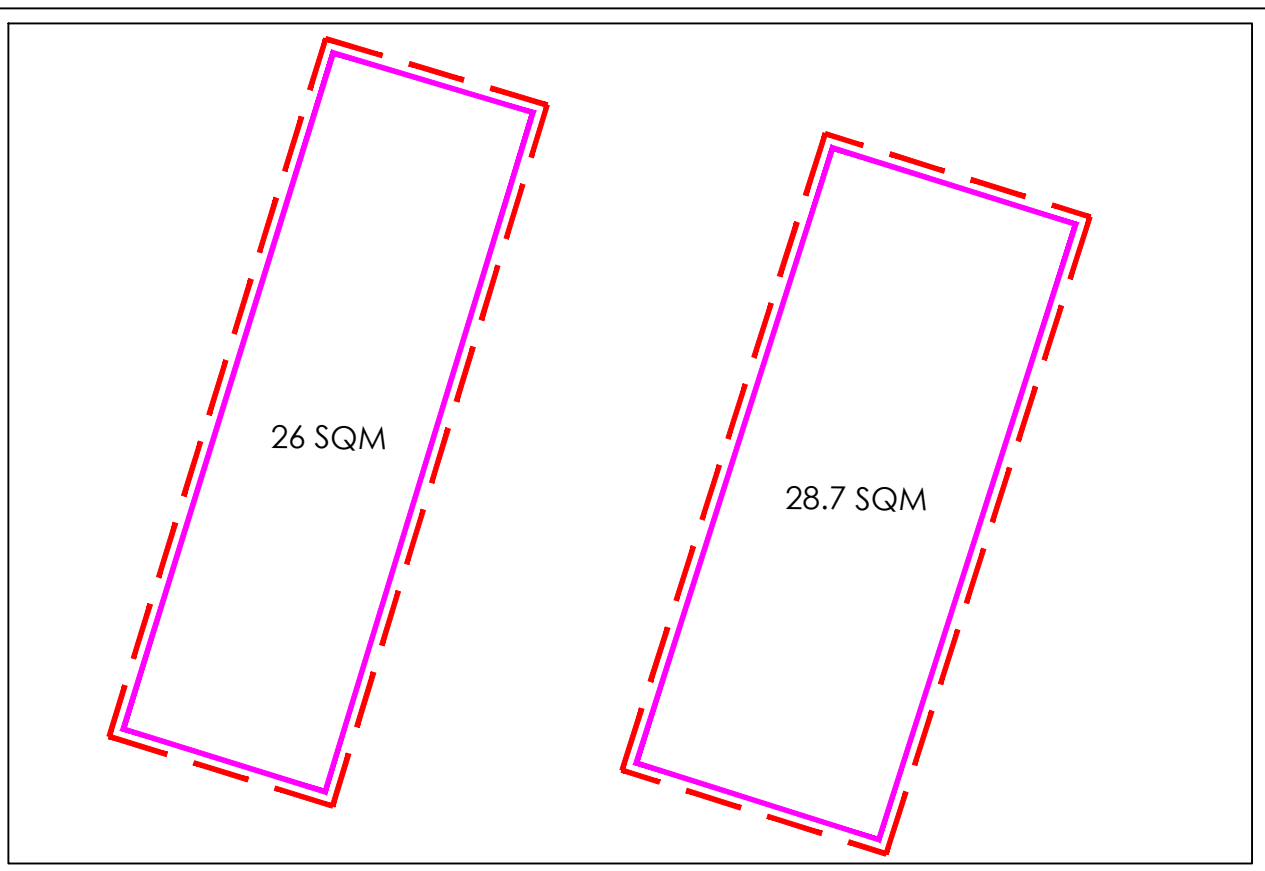
BLOCK PLAN: BASED ON ORDNANCE SURVEY EXTRACT  
O.S. LICENSE NO. - 100007080  
SCALE 1:500



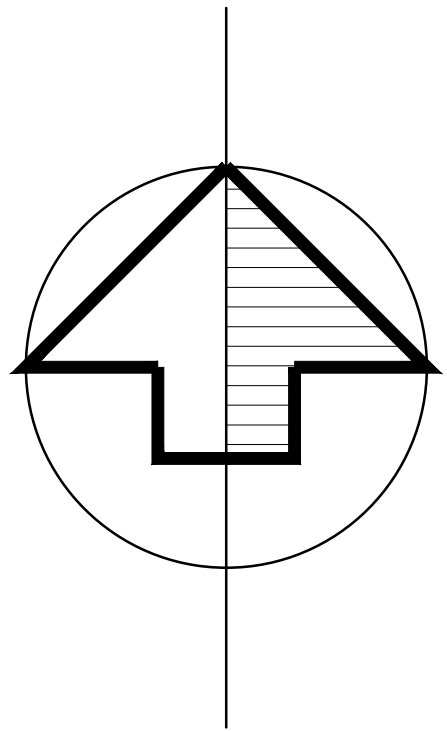
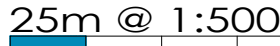
LOCATION PLAN: BASED ON ORDNANCE SURVEY EXTRACT  
O.S. LICENSE NO. - 100007080  
SCALE 1:1250



ASGARD BIKE STORE  
<https://www.asgardsss.co.uk/bike-storage-x4>



EXISTING TO BE DEMOLISHED  
SCALE 1:100 @ A1

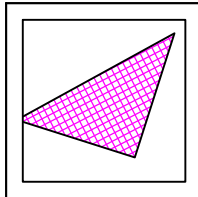


## NOTES-PLANNING

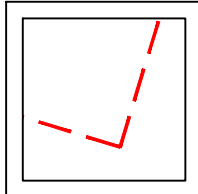
rev-08-10-2:

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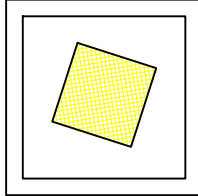
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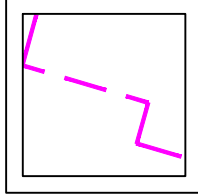
2M VISIBILITY  
SPLAY



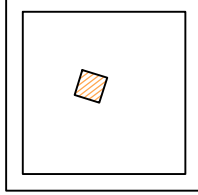
EXISTING  
TO BE  
REMOVED



5X5  
PASSING BAY



OUTLINE  
OF  
APPROVED



EV  
CHARGING  
POINT

2 X CHALET BUNGALOW @ 81 SQM / 874 SQFT 1 X CHALET BUNGALOW @ 90 SQM / 968 SQFT
SITE AREA: 0.12 HECTARES / 0.29 ACRES
/// CYCLE SPACES 9 PARKING SPACES : 4 FOR EXISTING / 5 FOR PROPOSED 6 BIKE STORE
TOTAL PROPOSED GIA = 273.65SQM / 2945 SQFT
EXISTING GIA = 54.6 SQM / 587.7 SQFT

C	PLANNERS COMMENTS	10/08/22	FG
B	BUILDING FOOT PRINT REDUCED	10/06/22	FG
A	HIGHWAYS COMMENTS ADDED	22/03/22	GR
No.	Revision.	date	by

REAR OF  
29-31 CYNTHIA ROAD  
POOLE  
BH12 3JE  
DORSET

## EXISTING FLOOR PLAN, SITE, BLOCK AND LOCATION PLAN

scale	AS SHOWN @ A1					checked	//
date	JANUARY 2022					drawn	FG
9559 / 100	A	B	C				

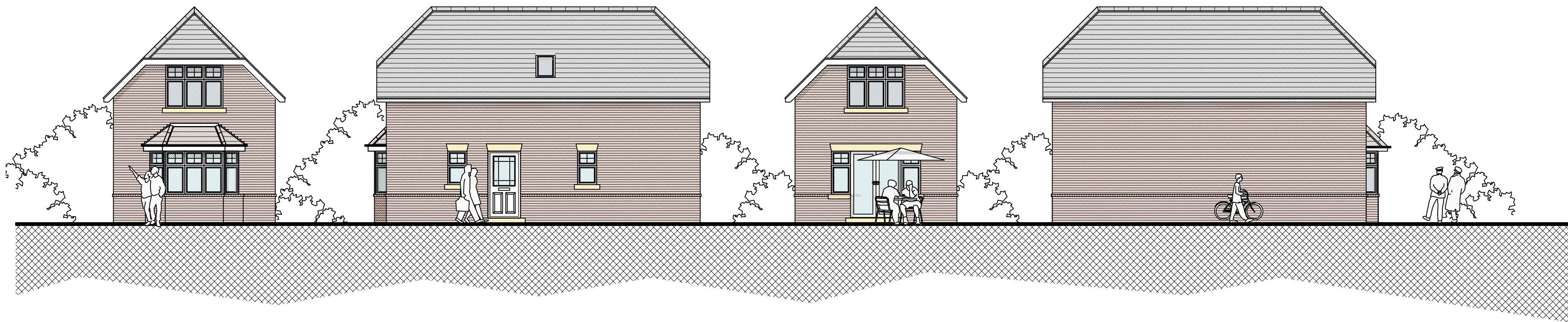
ARC Architecture Ltd.

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E-mail: [enquiries@andersrobertscheer.co.uk](mailto:enquiries@andersrobertscheer.co.uk)  
Web: [www.andersrobertscheer.co.uk](http://www.andersrobertscheer.co.uk)





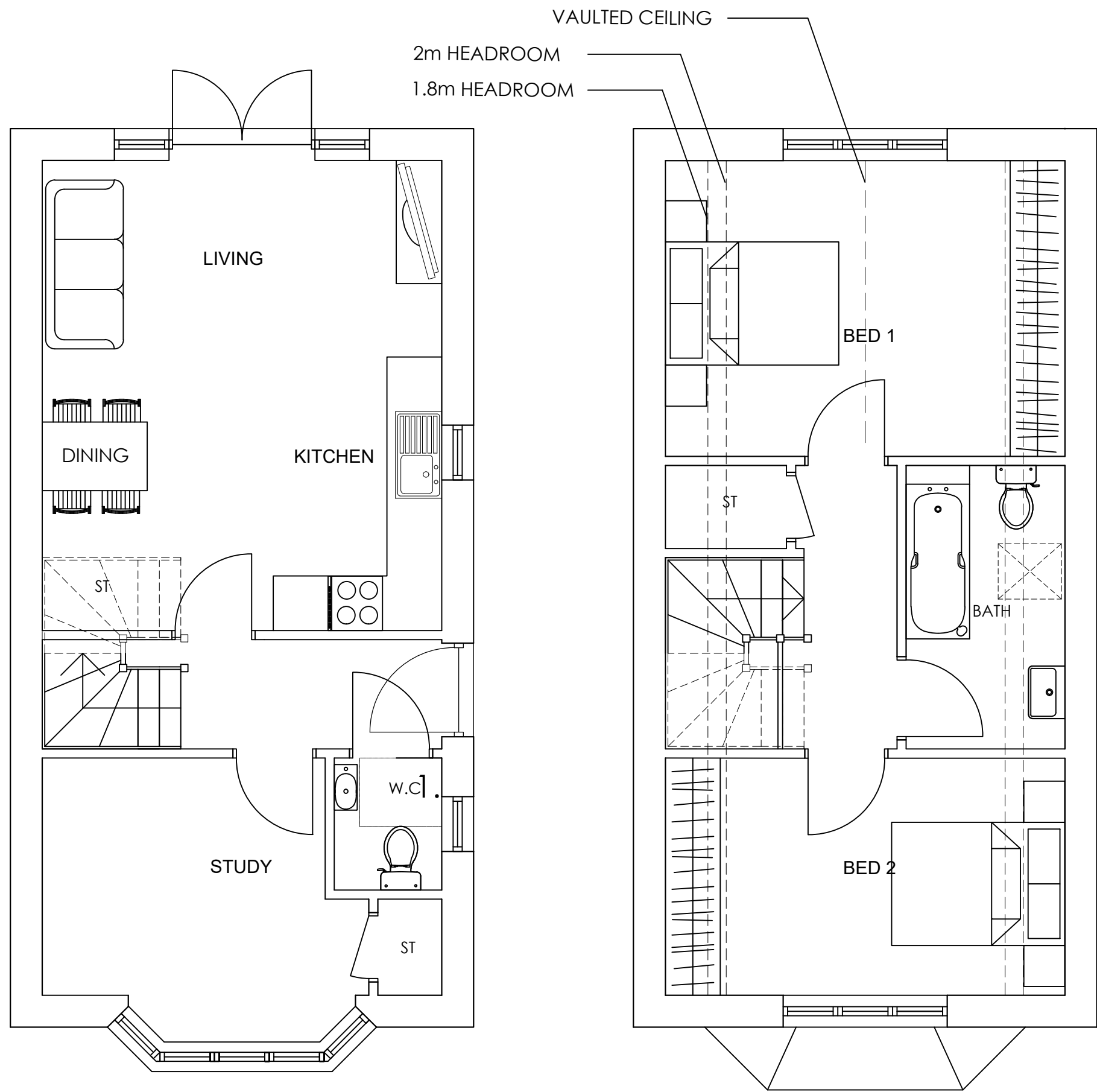


SOUTH ELEVATION  
SCALE 1:100

EAST ELEVATION  
SCALE 1:100

NORTH ELEVATION  
SCALE 1:100

WEST ELEVATION  
SCALE 1:100



GROUND FLOOR  
SCALE 1:50

FIRST FLOOR  
SCALE 1:50

NOTES-PLANNING

rev-08-10-21

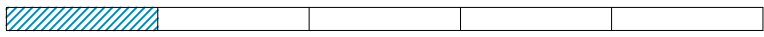
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11. All Cladding & building attachments externally to be all A1 fire rated.
12. We do NOT take any responsibility and do not carry any PI cover in relation to any matters relating to fire safety, Part 8 building regulations, BS 9991 for fire or EWS1 and drawings in no way form a fire strategy/ report. All design/ details relating to fire safety are shown for indicative purpose only and should be read in conjunction with the latest version of the Appointed Fire Consultant Fire Strategy Document/ Report - all information contained in such a report supersedes ARC drawings in all aspects. No assumption of any responsibility is accepted. If you are unaware who the appointed fire consultant is or don't have a copy of the latest version of the report please contact arc in writing immediately.
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MATERIALS SCHEDULE:

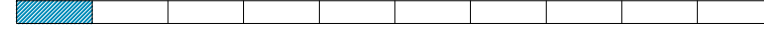
EXTERNAL WALLS:-	RED BRICK
WINDOWS & DOORS:-	UPVC
ROOF:-	SLATE EFFECT TILES

**Note:** All materials to be confirmed by fire consultant prior to construction. The above material choices are for planning/aesthetic purposes only and confirmation of fire performance should be agreed with specialist. (fixing system behind cladding should also be non combustible A1 or A2 rated and agreed with fire consultant)

5m @ 1:50



10m @ 1:100



SCHEDULE OF ACCOMMODATION :

UNIT 1 & 3 : CHALET BUNGALOW @ 81 SQM / 874 SQFT  
UNIT 2 : CHALET BUNGALOW @ 90 SQM / 968 SQFT

A	BUILDING FOOT PRINT REDUCED	29/06/22	FG
No.	Revision.	date	by

REAR OF  
29-31 CYNTHIA ROAD  
POOLE  
BH12 3JE  
DORSET

UNIT 1 FLOOR PLANS AND ELEVATIONS

scale	AS SHOWN @ A1	checked	//
date	JANUARY 2022	drawn	FG
		A	

9559 / 101

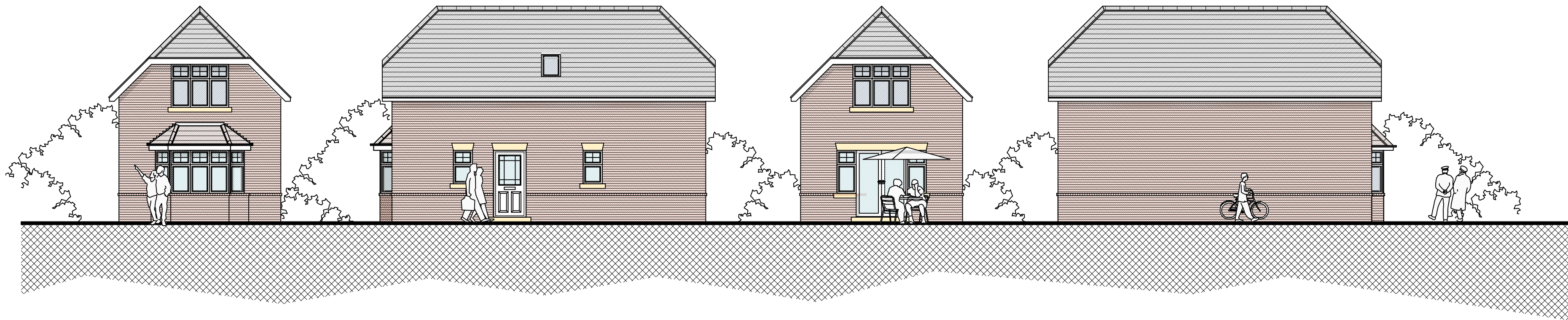
ARC Architecture Ltd.

Chapel Studios, 14 Purewell,  
Christchurch, Dorset, BH23 1EP

Tel: +44 (0 )1202 479919  
E-mail: enquiries@andersrobertscheer.co.uk  
Web: www.andersrobertscheer.co.uk





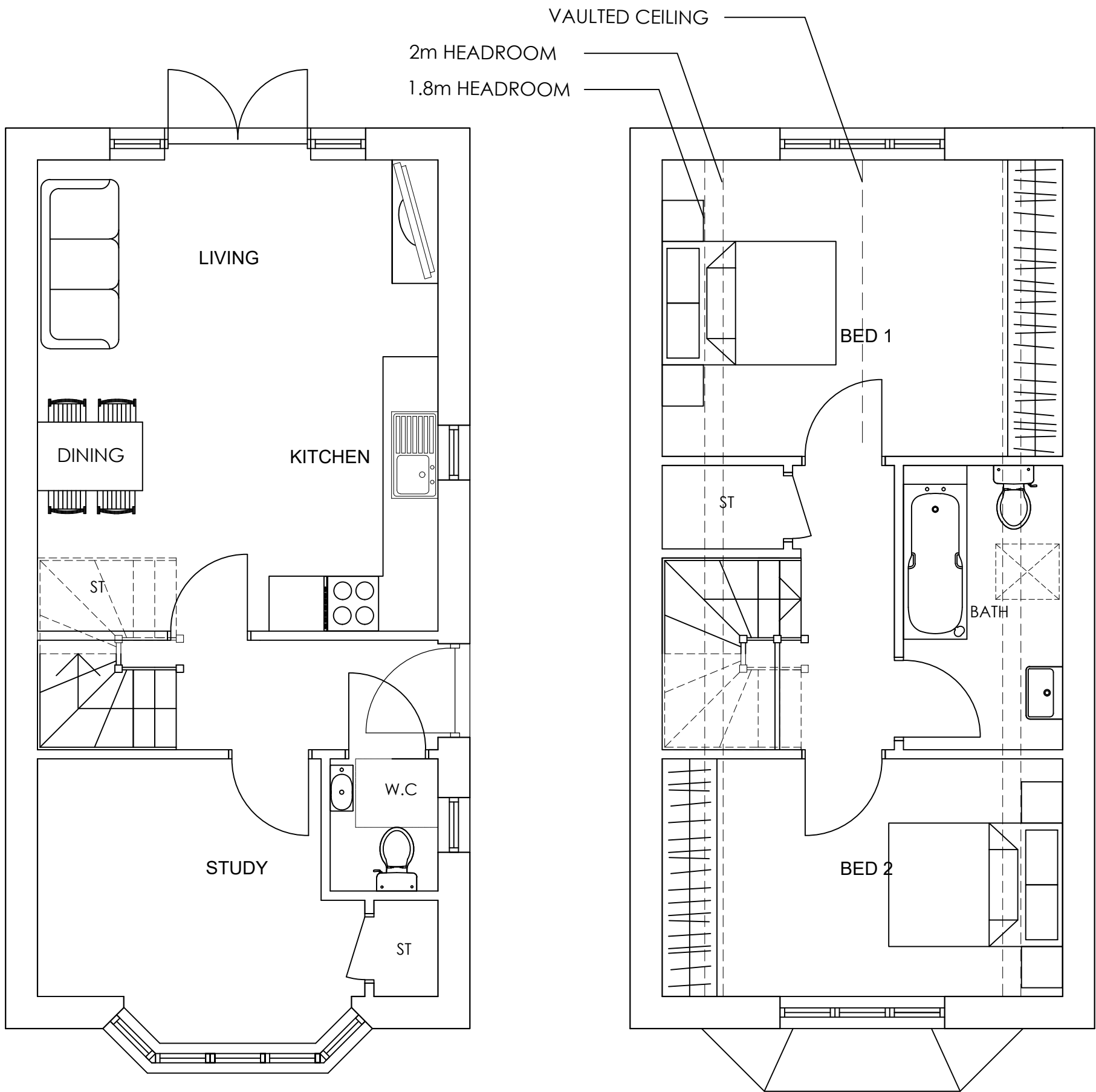


SOUTH ELEVATION  
SCALE 1:100

EAST ELEVATION  
SCALE 1:100

NORTH ELEVATION  
SCALE 1:100

WEST ELEVATION  
SCALE 1:100



GROUND FLOOR  
SCALE 1:50

FIRST FLOOR  
SCALE 1:50

NOTES-PLANNING

rev-08-10-21

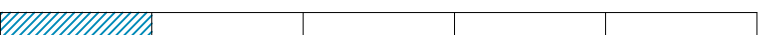
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MATERIALS SCHEDULE:

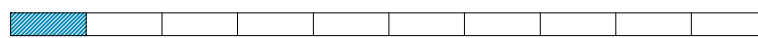
EXTERNAL WALLS:-	RED BRICK
WINDOWS & DOORS:-	UPVC
ROOF:-	SLATE EFFECT TILES

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5m @ 1:50



10m @ 1:100



SCHEDULE OF ACCOMMODATION :

UNIT 1 & 3 : CHALET BUNGALOW @ 81 SQM / 874 SQFT  
UNIT 2 : CHALET BUNGALOW @ 90 SQM / 968 SQFT

A	BUILDING FOOT PRINT REDUCED	10/08/22	FG
No.	Revision.	date	by

REAR OF  
29-31 CYNTHIA ROAD  
POOLE  
BH12 3JE  
DORSET

UNIT 2 FLOOR PLANS AND ELEVATIONS

scale	AS SHOWN @ A1	checked	//
date	JANUARY 2022	drawn	FG
		A.	

9559 / 102

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Web: www.andersrobertscheer.co.uk





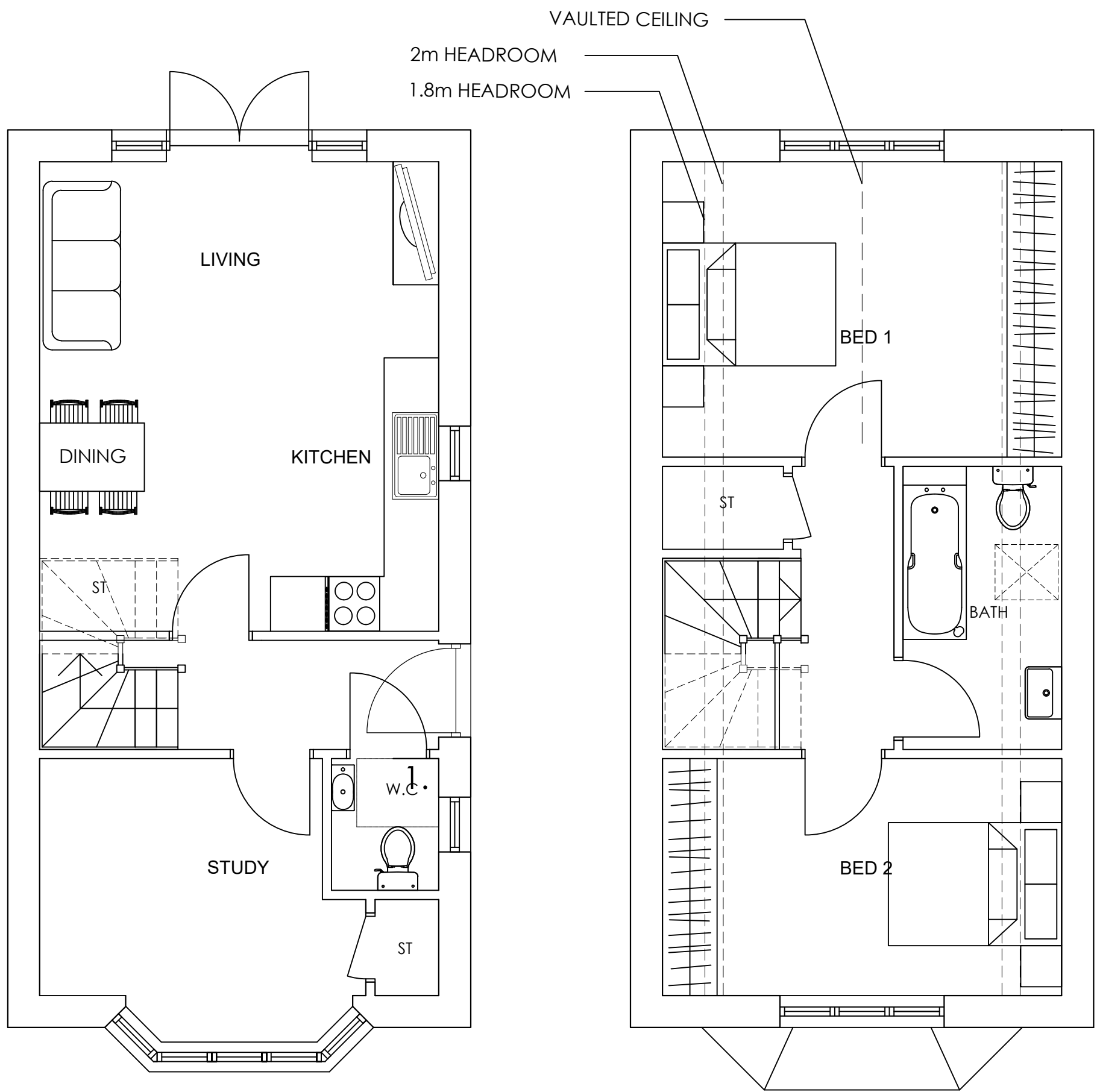


SOUTH ELEVATION  
SCALE 1:100

EAST ELEVATION  
SCALE 1:100

NORTH ELEVATION  
SCALE 1:100

WEST ELEVATION  
SCALE 1:100



GROUND FLOOR  
SCALE 1:50

FIRST FLOOR  
SCALE 1:50

NOTES-PLANNING

rev-08-10-21

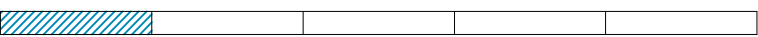
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MATERIALS SCHEDULE:

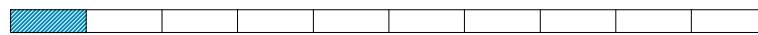
EXTERNAL WALLS:-	RED BRICK
WINDOWS & DOORS:-	UPVC
ROOF:-	SLATE EFFECT TILES

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5m @ 1:50



10m @ 1:100



SCHEDULE OF ACCOMMODATION :

UNIT 1 & 3 : CHALET BUNGALOW @ 81 SQM / 874 SQFT  
UNIT 2 : CHALET BUNGALOW @ 90 SQM / 968 SQFT

A	BUILDING FOOT PRINT REDUCED	29/06/22	FG
No.	Revision.	date	by

REAR OF  
29-31 CYNTHIA ROAD  
POOLE  
BH12 3JE  
DORSET

UNIT 3 FLOOR PLANS AND ELEVATIONS

scale	AS SHOWN @ A1	checked	//
date	JANUARY 2022	drawn	FG
		A	

9559 / 103

ARC Architecture Ltd.

Chapel Studios, 14 Purewell,  
Christchurch, Dorset, BH23 1EP

Tel: +44 (0 )1202 479919  
E-mail: enquiries@andersrobertscheer.co.uk  
Web: www.andersrobertscheer.co.uk







INDICATIVE SITE SCENE  
SCALE 1:50 @ A1

NOTES-PLANNING

rev-08-10-21

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10. We do not take responsibility for meeting minimum space as set out in Government Technical housing standards - nationally described space standards document.
11. All Cladding & building attachments externally to be all A1 fire rated.
12. We do NOT take any responsibility and do not carry any PI cover in relation to any matters relating to fire safety, Part 8 building regulations, BS 9991 for fire or EWS1 and drawings in no way form a fire strategy/ report. All design details relating to Fire Safety are shown for indicative purpose only and should be read in conjunction with the latest version of the Appointed Fire Consultant Fire Strategy Document/ Report - all information contained in such a report supersedes ARC drawings in all aspects. No assumption of any responsibility is accepted. If you are unaware who the appointed fire consultant is or don't have a copy of the latest version of the report please contact arc in writing immediately.
13. EWS1: on independent and an appropriately qualified and insured fire consultant/engineer should be appointed by the client/contractor to ensure the finished project is compliant. Some mortgage companies require EWS1s on buildings outside of the EWS1 standard criteria.
14. Part 8 & Fire Safety: An independent and appropriately qualified fire consultant should be instructed by the client/contractor at the earliest possible point in the design process to ensure compliance with Part 8 & Fire safety. Please note that subject to a fire consultants confirmation input the following points may be required in some or all areas of the building: 1) Sprinkler systems 2) Mechanical smoke extraction 3) Fixed shut fire safety glass 4) plan changes in relation to fire safety could result in loss of stable floor area and potential requirement for additional planning applications. (this list is not exhaustive)

**NOTE :** For indicative purposes only

5m @ 1:50



A AMENDED TO MATCH NEW FOOTPRINT 29/06/22 FG

No.	Revision.	date	by

REAR OF  
29-31 CYNTHIA ROAD  
POOLE  
BH12 3JE  
DORSET

INDICATIVE SITE SCENE

scale	AS SHOWN @ A1	checked	//
date	JANUARY 2022	drawn	FG
9559 / 104		A	

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