

PLANNING COMMITTEE



Application Address	Land R/O 26 & 24 Brixey Road & Land R/O 89-93 Rosemary Road, 32 Brixey Road, Poole, BH12 3PD
Proposal	Demolish existing dwelling and erect 6 x 2 bedroom and 6 x 3 bedroom houses with parking.
Application Number	APP/19/00576/F
Applicant	RHC Developments
Agent	Anders Roberts & Associates
Date Application Valid	8 May, 2019
Decision Due Date	7 August, 2019
Extension of Time Date (if applicable)	
Ward	Newtown & Heatherlands
Report status	Public
Meeting date	21 November 2019
Recommendation	Delegate to the relevant Senior Planning Officer to approve subject to the completion of a Section 106 agreement securing contributions towards Dorset Heathland SAMM; Poole Harbour Recreation SAMM; and Affordable Housing (if indicated by the outcome of the viability assessment) and subject to the conditions set out in the report, which are subject to alteration / addition by the head of planning services provided any alteration / addition does not go to the core of the decision
Reason for Referral to Planning Committee	This application is brought before committee at the request of Councillor Mrs Le Poidevin because of concerns about overdevelopment; impact on residents; lack of parking; and access for larger vehicles.
Case Officer	Claire Moir

Description of Development

1. Planning consent is sought to demolish the existing dwelling and erect six 2-bed and six 3-bed houses with parking.

Key Issues

2. The main considerations involved with this application are:
 - Impact on character and appearance of the streetscene
 - Impact on neighbouring privacy and amenities
 - Impact on Highway safety
 - SAMM/CIL/S106
 - Affordable Housing

Planning Policies

3. Supplementary Planning Document

SPD1 Parking & Highway Layout in Development
SPD3 Dorset Heathlands Planning Framework (2015-2020)

4. 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
PP24 Green infrastructure
PP27 Design
PP28 Flats and plot severance
PP32 Poole's Nationally, European and Intern important sites
PP33 Biodiversity and geodiversity
PP34 Transport strategy
PP35 A safe, connected and accessible transport network
PP36 Safeguarding strategic transport schemes
PP37 Building sustainable homes and businesses
PP38 Managing Flood Risk
PP39 Delivering Poole's infrastructure

5. National Planning Policy Framework (February 2019)

Relevant Planning Applications and Appeals:

6. **December 2018:** Demolish the existing dwelling and erect one replacement dwelling and eight starter homes to the rear with associated parking.
Approved. This was an Outline application with landscaping as the only reserved matter (APP/18/01074/P)
7. The current application site differs from the extant permission by the inclusion of small additional areas of land to the north (at the rear of 24 Brixey Road) and

south (at the rear of 89/91 Rosemary Road).

Representations

8. In addition to letters to neighbouring properties a site notice was posted outside the site. Further notifications were carried out following the receipt of amendments to the application which reduced the number of dwellings proposed from fifteen to twelve.

9. Representations have been received in which the following concerns are raised:

- Too big for site/ overdevelopment
- Additional units are not proportionate to the additional land from previous consent
- Increased noise
- Insufficient parking provision will impact on existing residents' parking
- pedestrians would have to share road without pavement; and access is too narrow
- Increase in traffic will add to already congested road, harm to children and older people. The junction will become dangerous
- Overlooking and loss of privacy
- Out of context and height is overwhelming compared with bungalows
- Impact on hedgehogs
- Loss of space for tree planting

Consultations

10. BCP Highway Authority: Support the application

11. Waste Collection: A collection point is required at the entrance. If vehicles are to enter the site, the access would have to be built to an adoptable standard.

12. FCERM: No surface water flood risk. Soakaway in highway raises issues.

Planning assessment

Site and Surroundings

13. The application site is located on the west side of Brixey Road and comprises the curtilage of 32 Brixey Road, which is occupied by a detached bungalow, and land to be severed from the long rear gardens of 89; 91; and 93 Rosemary Road, and 26 and 24 Brixey Road.

14. The area is residential in character with a variety of one and two-storey dwellings. The properties on the west side of Brixey Road within the context of the site are predominately single storey although some have rooms in the roofspace. To the rear in Kimmeridge Avenue, properties are two-storey and in Rosemary Road they are a mixture of one and two-storey homes. There is a Church located on the east side of Brixey Road close to the application site.

15. Brixey Road has traffic calming measures and a 20mph speed limit.

Key issues

16. The proposals are to demolish the existing dwelling and erect a replacement chalet bungalow on the Brixey Road frontage and eleven 2-storey dwellings to the rear, comprising five 3-bed and six 2-bed, arranged as four pairs of semi-detached houses and a terrace of three.

17. The principle of development on this land has been established by the previous extant planning approval (APP/18/01074/P) including the inclusion of two-storey houses at the rear of the existing single-storey properties on Brixey Road.

18. The Case Officer's report for the previous extant planning permission concluded that:

‘Given the varying character of the surrounding area from which the site draws its context; the mixture of one and two-storey properties; and the other examples of development behind established homes with street-frontage, the proposals would reflect this character. The substantial set back of the houses from the surrounding streets and the gaps between the blocks would both reduce the presence of the houses in the adjacent streetscenes and the development would integrate well with the existing character.’

19. The current application has retained gaps between the proposed houses, similar to the extant planning permission, to reflect the spacing and siting of dwellings on Brixey Road. The development would reflect and preserve the existing character and appearance of the streetscene.

20. The proposed replacement of the existing bungalow at the front of the application site with a chalet bungalow would reflect and retain the character of the Brixey Road streetscene. The new chalet bungalow would have the same front building line as the existing bungalow; and would be similar in height and depth. It would however be narrower and repositioned to accommodate the access to the rear of the site. Its siting, footprint and relationship to neighbouring homes would all be such that it would preserve neighbouring privacy and amenities.

21. The proposed houses on plots 2-10 would preserve the privacy and amenities of adjacent homes in Brixey Road by being at least 20m from them. The proposal would increase the number of houses with a rear aspect over the adjacent long back garden of 87 Rosemary Road from eight in the approved scheme to nine. There would however be fewer first-floor bedroom windows with this aspect than was previously approved. Given that these windows would overlook the rearmost part of this garden, which is in excess of 75m long, the proposals would not result in harmful overlooking.

22. The windowless two-storey side elevation of plot 12 would abut the rear boundaries of 24 and 26 Brixey Road. There would therefore only be oblique overlooking of these neighbouring properties from first-floor bedroom windows. Neither this nor the proximity of the side elevation to the rear boundary of these adjacent homes, given that they would not run the entire width of either boundary and the length of these gardens, would cause any material harm to the amenities of the occupiers of these adjacent homes either by reason of being overbearing; loss of light; or overlooking. Similarly, the separation distance to adjacent homes in Kimmeridge Avenue would be such that plots 11 and 12 would not materially harm the amenities of the occupiers of these homes.
23. The proposed access arrangements are similar to those previously approved as part of the extant planning permission (APP/18/01074/P) including the previously approved visibility splays. The access would be wide enough for two vehicles to pass and there would be sufficient width in the parking areas for vehicles to turn on site. Given the number of dwellings being accessed, the road would have to be constructed to adoptable standards, including suitable street lighting.
24. Bin storage on collection day is provided along the access close to Brixey Road, which would reduce the access width to 4.1m on collection days. This width can still accommodate cars passing slowly. Measures to reduce vehicle speeds have also been incorporated into the proposals.
25. A vehicle tracking plan has been provided that demonstrates that delivery lorries could enter the site; turn; and leave in a forward gear.
26. The proposals make provision for sufficient parking for the number of dwellings proposed and meet Guidelines.
27. Whilst a proposed soakaway is poorly positioned in the middle of the access, which would be required to be built to an adoptable standard, a revised scheme can be secured by condition (#15).

Affordable Housing

28. The viability of the proposals and therefore their potential for contributing towards the provision of affordable housing is still being assessed. The outcome of that assessment will be reported to the Committee.

Section 106 Agreement/CIL compliance

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Houses	Existing	1	@ £387	@139
	Proposed	12		
	Net increase	11	£4,257	£1,529
Total Contributions			£4,257 (plus admin fee)	£1,529 (plus admin fee)
CIL	Zone C		@ £115sq m	

29. 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.

30. 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

31. 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.

32. Any planning permission should therefore be subject to the completion of a Section 106 agreement to secure the necessary contributions towards Dorset Heathland SAMM and Poole Harbour Recreation SAMM.

Planning balance

33. The principles of the scheme, in respect of two-storey residential properties being sited to the rear of dwellings in Brixey Road, have previously been established by the extant planning permission (APP/18/01074/P). The current application proposes an increase in the number of units together with a small increase in the size of the site. The proposals have been sited to address the layout of properties in Brixey Road with gaps between them which reflect this character. The proposals also preserve neighbouring privacy and amenities and highway safety and therefore comply with relevant Local Plan Policies.

RECOMMENDATION

34. It is therefore recommended that the application is delegated to the relevant Senior Planning Officer to approve subject to the completion of a Section 106 agreement securing contributions towards Dorset Heathland SAMM; Poole Harbour Recreation SAMM; and Affordable Housing (if indicated by the outcome of the viability assessment) and subject to the conditions set out in the report, which are subject to alteration / addition by the head of planning services provided any alteration / addition does not go to the core of the decision

Conditions:

1. GN150 (Time Expiry 3 Years (Standard))
2. PL01 (Plans Listing)
3. GN030 (Sample of Materials)
4. GN090 (Obscure Glazing of Window(s))
Both in the first instance and upon all subsequent occasions, the bathroom windows at first floor in the side elevations of units 2, 3, 4, 5, 6, 7, 8 and 10 and the stairwell window at first floor in the side elevation of unit 11 shall be glazed with obscure 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).

5. LS020 (Landscaping Scheme to be Submitted)
6. HW100 (Parking/Turning Provision)
7. HW200 (Provision of Visibility Splays)
8. AA01 (Non standard Condition)
Prior to any works to the access road hereby approved, plans and particulars

showing the layout, together with details of levels, sections, drainage, street lighting, and speed reduction features of the proposed access road, shall be submitted to, and approved in writing by the Local Planning Authority, to ensure the approved access road is built to an adoptable standard. The development shall subsequently be implemented in accordance with the agreed details and retained thereafter.

Reason -

In the interests of providing a safe and suitable access in accordance with Policy PP35 of the Poole Local Plan (2018).

9. 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 with the Local Planning Authority. The scheme shall include provision to raise the existing lowered kerbs, and 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 first occupation/use of the development.

Reason-

In the interests of highway safety in accordance with Policy PP35 of the Poole Local Plan (2018).

10. AA01 (Non standard Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order, no other vehicular access (other than that shown on the approved plans) shall be formed to the site.

Reason -

In the interests of highway safety and in accordance with Policy PP35 of the Poole Local Plan (2018).

11. AA01 (Non standard Condition)

Concurrently with the construction of the development hereby permitted, the first 4.5 metres of the access crossing, measured from the near side edge of the carriageway, shall be laid out, constructed, hardened and surfaced, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Specifically, the details shall include the provision of a continuous footway crossing.

Reason -

In the interests of highway safety and in accordance with Policy PP35 of the Poole Local Plan (2018).

12. HW090 (Access Gradient Not to Exceed 1:15)

13. GN162 (Renewable Energy - Residential) (20%)

14. HW230 (Permeable surfacing condition)

15. AA01 (Non standard Condition)

Prior to first occupation of the site details of a revised soakaway scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the agreed details prior to occupation and retained as such.

Reason -

To ensure adequate surface water drainage and in accordance with the PP38 Poole Local Plan adopted 2018

16. AA01 (Non standard Condition)

Prior to the completion of the development a 'Hedgehog Highway' shall be installed throughout the rear of the development. This shall thereafter be retained.

Reason-

In the interests of improving sites for ecology and to create enhanced living environments for endangered species and in accordance with Policy PP33 of the Poole Local Plan adopted 2018.

Informative Notes

1. IN72 (Working with applicants: Approval)
2. IN74 (Community Infrastructure Levy - Approval)
3. IN84 (AA passed)
4. IN43 (Section 106 Agreement)
5. IN12 (Kerb Crossing to be Raised)
6. IN13 (Kerb Crossing to be Lowered)
7. IN11 (First 4.5m Access Crossing)