



Application Address	The Goods Yard, 14 Station Approach, Broadstone, BH18 8AX
Proposal	Major Outline application for the erection of 33 apartments together with associated access and parking
Application Number	APP/19/00414/P
Applicant	Primetower Properties Ltd
Agent	Chapman Lily Planning Ltd
Date Application Valid	3 April, 2019
Decision Due Time	21 February, 2020
Extension of Time date (if applicable)	21 February, 2020
Ward	
Recommendation	Grant With CIL Contribution
Reason for Referral to Planning Committee	This application is brought before committee due to the request of Cllr Brooke due to the conflict with policies, the scale and bulk causing harm to the character and appearance of the area, the loss of parking and the impact on the amenity and privacy of school children on the adjoining site and lack of on site amenity.
Case officer	James Gilfillan

Description of Development

1. Outline Planning consent is sought for the erection of 33 apartments together with associated access and parking. Matters of Access; Appearance; Layout; and Scale are for consideration under this application.

Key Issues

2. The main considerations involved with this application are:
 - The principle of the development
 - The character and appearance of the area
 - Impact on Heritage Assets
 - Highway safety
3. These points will be discussed as well as other material considerations below.

Planning Policies

4. National Planning Policy Framework (February 2019)

5. Poole Local Plan (Adopted 2018)

- PP01 Presumption in favour of sustainable development
- PP02 Amount and broad location of development
- PP07 Facilitating a step change in housing delivery
- PP08 Type and mix of housing
- PP11 Affordable housing
- PP12 Housing for an ageing population
- PP27 Design
- PP28 Flats and plot severance
- PP30 Heritage Assets
- PP32 Poole's important sites
- PP33 Biodiversity and geodiversity
- PP34 Transport strategy
- PP35 A safe, connected and accessible transport network
- PP37 Building sustainable homes and businesses
- PP40 Viability

6. Broadstone Neighbourhood Plan:

- BP03 Enhancing Biodiversity
- BP04 Securing High Quality Sustainable Design
- BP05 Balancing the Housing Stock

7. Supplementary Planning Document

- SPD1 Parking & Highway Layout in Development
- SPD2 Heritage Assets
- SPD3 Dorset Heathlands Planning Framework (2015-2020)
- SPD4 Affordable Housing SPD (Adopted November 2011)
- SPD5 Poole Harbour Recreation Interim Scheme (Jan 2019)
- SPD6 Nitrogen Reduction in Poole Harbour (Adopted Feb 2017)
- Tudor Road/Golf Links Road Conservation Area SPD 2010

Relevant Planning Applications and Appeals:

- 8. **2007:** Refurbishment & remodelling works to existing Public House. Demolition of south west wing and rear single storey structures, and the erection of 31 flats. **Approved.** (07/12916/007/F)
- 9. **2009:** Sub-divide upper floors of the public house from single residential flat to x3 residential units, including installation of rooflights. **Approved.** (09/00043/F)
- 10. **2019:** Erect a side and rear extension to form two additional apartments together with associated access and parking and provision of refuse collection area. **Currently under consideration.** (19/00416/F)

Representations

- 11. Letters of representations have been received in which the following concerns are raised:

- The size and scale of the development being dominant and prominent and the design being out of character and out of keeping with the area;

- Loss of parking; lack of parking and would exacerbate congestion in the area and impact on highway and pedestrian safety;
- Impact on the amenity of the school
- Impact on the well being and amenity of occupiers of the neighbouring offices

12. One letter of support has been received, supporting the scheme for delivering additional housing on a brownfield site, in a sustainable location reducing pressure to build in Green Belt or rural areas not readily supported by infrastructure and services.

Consultations

13. Broadstone Neighbourhood Forum. Objects to the scale of the development and its design being out of character and harmful to the Conservation Area and historic Goods Yard pub. The impact on the amenity of children at the adjoining school. The lack of parking and number of units exacerbating parking and congestion problems in the area. They also raise concerns over the likely impact on the population profile in the area due to the scheme proposing flats instead of small houses.
14. BCP Highway Authority. Supports the application for providing sufficient parking with sufficient manoeuvring space; visibility; and highway improvements to preserve highway and pedestrian safety.
15. The Society for Poole. Object to the proposal which exacerbates existing issues; is out of scale with its surroundings; and fails to respect local planning requirements and the associated community strategies.
16. Royal Bournemouth and Christchurch Hospital NHS Trust. Object to the impact of the development on the provision of NHS hospital services, but advise that a financial contribution could mitigate this impact.

Constraints

17. The site is in the Tudor and Golf Links Road Conservation Area and the trees are covered by a TPO

Planning assessment

Site and Surroundings

18. The site is on the east side of Station Approach, opposite the Junction Leisure centre and close to the centre of Broadstone. The site is flat and provides surfaced and marked-out car parking for patrons of the adjoining 'Goods Yard' Public House, with access from Station Approach.
19. The site is within the Broadstone Neighbourhood Forum Plan area and is within the Tudor and Golf Links Road Conservation Area. It is adjacent to the Broadstone District Centre and Central Shopping Area.
20. The site is surrounded by commercial and community uses comprising offices to the south; the leisure centre to the west; The Goods Yard public house to the north; and Broadstone First School to the east.
21. There are trees along the boundary with the school, some of which are within the site

and some of which overhang from the adjoining sites. The Goods Yard pub is included on the list of buildings of local importance.

Key issues

22. The Outline scheme proposes to erect a block of 33 flats with undercroft parking; bin and bike stores; and with access from Station Approach. Matters of Access, Appearance, Layout and Scale are for consideration under this application, leaving Landscape as a Reserved Matter for submission and consideration at a later date.
23. Access: Vehicle access would be largely as existing from Station Approach and would serve under-croft car parking at ground level for 27 vehicles, and bin and bike stores.
24. Appearance: Contemporary in style with a flat roof and articulation of the front elevation to create a terraced rhythm and frame balconies. Corner windows would articulate and turn the corners. Residential access and living accommodation at ground floor level would provide an active frontage and screen the under-croft car parking.
25. Layout: The 'horseshoe' shaped building would be sited to front the western (street) boundary. The wings projecting at the rear would extend across the car park. A first floor shared roof garden would provide courtyard amenity space between the three sides of the building which would potentially be accessible to all residents. The fourth floor would be set back from the edges of the floor below, which would contribute to the varied roofline. The layout would accommodate the widening to 2m of the Station Approach footway for the length of the site frontage.
26. Scale: 33 flats across 4 floors comprising 9x1-bed and 24x2-bed. 27 car parking spaces and storage for 33 cycles

Principles

27. The site is in the sustainable transport corridor, as defined by PP02, where additional and higher density residential development is directed in order to support and benefit from existing and improved public transport and areas of services and facilities supporting residents.
28. The site is in the 'Inner Zone' as identified by the Broadstone Neighbourhood plan, where 1 and 2-bed residential units are encouraged due to the proximity to the services and facilities of the Broadstone District Centre. The scheme comprises entirely of 1 and 2-bed units.
29. The 2007 permission for 31 flats was implemented and is therefore extant.
30. The site is outside the district centre and central shopping area as defined by the Local Plan and Neighbourhood Plan respectively. It would not therefore result in the loss of land expected to deliver commercial development to enhance the vitality and viability of the centre. It could however provide additional footfall and 'spend', within walking distance of that centre, delivering wider economic benefits.
31. The area immediately adjacent to the application site comprises a mixture of commercial and community uses and is not predominately residential. The character

does change to predominately residential to the north, beyond the junction with Moor Road, and there are flats above the Goods Yard pub. The application site is therefore within a transitional area at the fringe of the Local Centres where a mixture of uses can be expected before the transition to the predominately 'suburban' character further from the Local Centre. Given the extant consent and recognised need for residential development of this type in the area, there would not be any reason to resist this use simply because there aren't other residential uses immediately adjoining the application site.

32. The principle of residential development is acceptable and in accordance with adopted policies.

Character and Appearance

33. The application site is within the Tudor and Golf Links Road Conservation Area. It contributes little in the way of positive features to the characteristics of the heritage asset, beyond gaps between buildings and space around the Locally Listed Goods Yard pub. The principle that the development of the site is compatible with preserving the character and appearance of the Conservation Area was established by the approved 2007 scheme.
34. Whilst there is little context within the Conservation Area for the contemporary form of architecture proposed, the application site is framed by a variety of styles. Unlike the extant scheme, the proposals seek to deliver a contemporary interpretation of the gabled terrace form found throughout the Conservation Area, by the inclusion of a consistent rhythm of projecting framed bays on the front elevation and through the chosen palette of materials.
35. The building would be no higher than the previously approved scheme, although the flat roof would represent additional bulk relative to the extant consent. The proposed design and layout of the top floor would nevertheless reduce its overall bulk and recessed elements would reduce its visual presence and perceived size. Whilst these elements would be more apparent in distant views, this would be in the context of other large buildings, such as the adjacent leisure centre and offices.
36. The upper floors have been further reduced and set back where they would be adjacent to the locally listed Goods Yard pub. This would allow the side aspect of the pub to remain visible, preserving its prominent contribution to the streetscene. Furthermore the contrast in architectural style would ensure that the qualities; proportions; and details of the Goods Yard pub would continue to stand out, preserving its contribution to the significance of the Conservation Area.
37. Because of the open character and size of the adjacent school playground to the rear, the rear elevation of the proposed flats would be readily visible from Moor Road. That rear elevation would not include the same degree of articulation as the front elevation, but the separation distance from potential vantage points on Moor Road and Tudor Road and the intervening school grounds are such that the building would be no more imposing on the character and appearance of the Conservation Area than is the existing view of the flank wall of the sports centre.

38. The design and layout would introduce new built form enclosure; active frontage; and

passive surveillance to the streetscene where none currently exist. The scheme incorporates appropriate parking; access; and bin storage without resulting in an 'inactive' or austere frontage. This would be a positive enhancement to the streetscene and the character of the area. Vehicle access onto the site and into the parking area would not penetrate the front elevation of the building and therefore would not distract from the architectural integrity of the street frontage.

39. The proposed scheme would preserve the character and appearance of the Conservation Area.

Highways and transportation.

40. Station Approach is a one-way street adjacent to the application site and accommodates on-street parking. The site is within walking distance of Broadstone District Centre and close to the Castlemain Trailway.
41. The application site is currently a private car park solely serving The Goods Yard public house. As such could be closed at any time and the completion of the extant consent would also end its availability. Displacement of the existing parking could therefore occur irrespective of the current proposals. Whilst there may be a link between the availability of on-site car parking and the viability of a pub, there is nevertheless already permission for the development of the site; the pub is within walking distance of public car parks, a potential local clientele, and is accessible by public transport.
42. Sufficient parking is provided to meet the unallocated parking standards and on-site manoeuvring provision would ensure that vehicles can enter and exit the site in a forward gear. The access provides sufficient pedestrian and highway visibility to preserve highway safety. Appropriate secure cycle storage is provided.
43. Concern has been raised in representations about congestion during school pick-up and drop-off times. This already exists and is not directly related to the proposed development and would continue irrespective of the proposed development. The general thrust of identifying 'Sustainable Transport Corridors' is to direct new housing to areas that can support reduced reliance on the private car and provide additional patronage for public transport or other sustainable forms of transport. To therefore resist development in such a sustainable location because residents would potentially own cars and use them at peak times goes against the adopted direction of travel for sustainable development in the Plan area.
44. Bin storage is provided in an accessible location close to the edge of the site and accessible for collection.
45. The scheme would make available land along its frontage to allow the Station Approach footway to be widened to a minimum width of 2m.
46. The existing patron's car park provides off-road servicing for the pub and this would be compromised by the proposals since the proposed access would be inappropriate to be used by larger vehicles servicing the pub. The Highways Authority have accepted the principle of a service bay being provided on Moor Road adjacent to the pub and the measures and costs associated with delivering such a feature could be secured by

a legal agreement.

47. Furthermore, a legal agreement attached to the 2009 consent for 3 flats above the pub requires 3 parking spaces to be made available for their residents. The current proposals do not incorporate any such spaces. An alternative solution would therefore be required to ensure that these proposed flats could be lawfully implemented, but this does not fetter this application being determined on its merits.
48. The scheme delivers sufficient parking to meet its needs and would preserve highway and pedestrian safety. The benefits of delivering this number of residential units in a sustainable location that would support public transport and low car ownership would outweigh the perceived harm to congestion associated with the nearby school.

Amenity

49. Due to the nature of the adjoining uses the only residential development potentially affected by the development is the 3 flats at first and second floor above the pub. Due to the separation distance, position of windows and elevated positions on the first and second floors, the outlook, amenity and privacy of the occupiers would not be materially compromised.
50. There are windows on the north elevation of the offices to the south of the site, benefiting from views across the site. Their outlook would be significantly reduced, by this scheme and to a greater degree than the extant consent. Being to the north the scheme would not cause overshadowing, and the design precludes any intrusive overlooking inter-relationship between the windows in the respective buildings. The reduced outlook from the offices would not compromise the use of those spaces nor would it cause such harm to render the scheme unacceptable.
51. All of the flats are in the size range advocated by the national housing standards. They would benefit from a balcony or roof terrace/patio and shared use of the communal first floor roof terrace. Many of the flats would have dual aspect. Some, in the south east corner, would have a reduced outlook through the crown of the trees on the adjoining site. There would be an element of mutual overlooking between flats in the rear 'wings' of the building. This would reduce residential amenity, but not materially so. The ground floor flats would have windows close to the edge of the site. Boundary railings would provide a degree of defensible space and privacy. Only one flat would suffer from limited privacy but as one of the largest flats in the building it would have alternative amenity advantages.
52. Passive solar gain and direct sunlight to individual flats are would be constrained by the single aspect and orientation of some flats. The relatively high density and inherent economies of mutual insulation achieved from a large building, with fewer external surfaces, would help offset that.
53. The scheme would give rise to views across the play ground of the nearby school. Such a relationship does not compromise the amenity or wellbeing of the students and is one commonly found in urban locations. There are already buildings with views across the play ground and views are possible from the public realm. The playground is large and the layout and shape of the building would not cause overbearing or overshadowing that would compromises its use or amenity.

54. Sufficient amenity is preserved for neighbours and future occupiers.

Sustainability

55. Being a new build it would be readily possible to deliver an energy efficient and sustainable development in accordance with the building regulations. Significant efficiencies are achieved by the higher density and reduced surface area of the building and the proximity to such a wide range of services and facilities, thereby potentially reducing reliance on the private car for many day to day activities such as leisure; social; employment; and education. In accordance with PP37 a condition could be used to secure on-site renewable energy generation to meet at least 20% of the scheme's energy needs.

56. Permeable surfaces and stormwater soakaways could be delivered as part of the development. Almost the entire site is hard surfaced at present, so the scheme would not demonstrably increase surface water run off.

Ecology

57. Details of the design of the landscape around the building is 'reserved' for a future application. Whilst the site currently has little amenity landscape value, it does have some ecological value. Alternatives to support species such as bat or bird boxes and bricks could be embedded in the building fabric. This can be secured by condition. The loss of the trees would not compromise the amenity of the area nor the character and appearance of the Conservation Area, and their removal has already been permitted by the earlier consent.

Affordable Housing

58. At more than 11 units and 1000sq m the scheme falls to be assessed for its potential to deliver a contribution towards affordable housing in accordance with PP11. Independent analysis of the viability of the scheme has concluded that a financial contribution of £163,549 can be made and this should therefore be secured by S.106 agreement.

Health Care.

59. The Royal Bournemouth and Christchurch Hospital NHS Trust has made representations seeking financial contributions in respect of the impacts they contend arise from the proposed development. These representations constitute material considerations in principle. However, such contributions may only be required if they meet all legal/policy tests relevant to seeking such contributions.

60. In order for the Council to require the applicant to enter into a section 106 obligation to make such payments, the contributions must meet the requirements of Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 (as amended) which are also reflected in government policy in the NPPF at paragraph 56 and the NPPG.

61. Regulation 122 (2) provides that:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

62. Having carefully reviewed the consultation responses provided by the Trust officers do not consider that information provided demonstrates that the need for the contributions has been clearly justified or evidenced as being directly related to the development or fairly and reasonably related in scale and kind to the development. It cannot be concluded that it is necessary to make the development acceptable in planning terms.

Section 106 Agreement/CIL compliance

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	0	@ £264	@ £95
	Proposed	33		
	Net increase	33	£8,712.00	£3,135.00
Total Contributions			£8,712.00 (plus admin fee)	£3,135.00 (plus admin fee)
CIL	Zone C		@ £115sq m	

63. 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.

64. 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

65. 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 and this can be secured by s.106 agreement.

Summary

66. The scheme is in the sustainable transport corridor and It would preserve the character and appearance of the area and conservation area
67. It would provide additional footfall within walking distance of the Broadstone District centre.
68. Reduced outlook for the offices; views across the school play ground; and some reduced on site amenity would not render the scheme unacceptable
69. Sufficient parking and access would be provided to meet the needs of the development and preserve highway and pedestrian safety.
70. A financial contribution towards affordable housing can be secured.

Planning balance

71. The scheme has economic benefits during construction and providing increased footfall in to the local centre, it has significant environmental benefits of delivering a high density development in a sustainable location, reducing reliance on the private car. It would preserve the character and appearance of the Conservation area; enhance the appearance of the streetscene; and have social benefits of delivering additional residential development of the size considered appropriate to 're-balance' the housing stock in the neighbourhood plan area. These benefits would deliver a sustainable development and outweigh the minor harm identified.

It is therefore recommended that this application be delegated to the Head of Planning Services to Grant with CIL Contribution upon the following having been secured by S.106 agreement:

1. A financial contribution of £3,135.00 (+ admin fee) towards offsetting the recreational impact of the development on the Dorset Heathlands SPA and SSSI in accordance with Policy PP32 of the Poole Local Plan 2018 and the Dorset Heathlands Planning Framework 2015-2020 SPD (2016).

2. A financial contribution of £8,712.00 (+ admin fee) towards offsetting the recreational impact of the development on Poole Harbour SPA, in accordance with Policy PP32 of the Poole Local Plan 2018 and the Poole

Harbour Recreation Interim Planning framework (2019).

3. A financial contribution of £163,549.00 (+ admin fee) towards off site Affordable Housing provision in accordance with Policies PP11 & PP40 of the Poole Local Plan 2018 and Affordable Housing SPD (2011).

4. Securing to adoptable standards the construction and dedication to the Highway Authority for adoption of such land as is required to widen the existing footway along Station Approach, for the length of the site frontage, to 2m wide from the kerb edge.

5. Securing the provision of a service bay on Moor Road and the relevant TRO legal agreement.

and subject to the following conditions:

1. OL080 (Submission of Reserved Matters (within 3 Years))
2. OL010 (Submission of Reserved Matters) (Landscaping)
3. PL02 (Plans Listing - Outline)

4. HW100 (Parking/Turning Provision)

The development hereby permitted shall not be brought into use until the access, turning space and vehicle 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 car park spaces on the approved plan shall be available for residents and visitors to the residential units. The parking shall therefore remain as unallocated parking at all times with no parking space allocated to any individual resident or residential unit, except for any parking bay demarcated as Disabled Parking which may be allocated to Registered Disabled Users only. No parking barrier shall be placed to restrict access to the car parking 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).

5. AA01 (Non standard Condition)

Prior to the commencement of development, a scheme, including timetable, to secure alternative off site servicing for deliveries to the neighbouring public house shall be submitted and approved in writing by the Local Planning Authority. The agreed plan shall then be implemented in accordance with the approved plans and timetable and thereafter retained.

Reason:

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

6. AA01 (Non standard Condition)

Prior to first occupation the bin and bike stores, as shown on the approved plans, shall be provided and available for use and thereafter retained for those purposes.

Reason:

In the interests of promoting alternatives to the private car and the efficiency of waste collection and highway safety and in accordance with PP02, PP34 & PP35 of the Poole Local Plan 2018

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

8. GN180 (Accessible and adaptable dwellings)

In advance of securing Building Regulation Compliance, the developer will identify 20% of the dwellings hereby permitted to be built in accordance with the requirements of Approved Document Part M4(2) Category 2 of the Building Regulations (2015) (as amended). The units shall first have been agreed in writing by the Local Planning Authority.

Reason -

In the interests of meeting the needs of the ageing population and in accordance with PP12 of the Poole Local Plan (November 2018)

9. HW230 (Permeable surfacing condition)

10. GN030 (Sample of Materials)

Informative Notes

1. IN72 (Working with applicants: Approval)

2. 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.

3. IN43 (Section 106 Agreement)

4. IN81 (SAMM Approval)

5. IN00 (Non Standard Informative)

The applicant's attention is drawn to a S.106 agreement secured against planning permission ref:09/00043/F, obligations of which may be compromised by the implementation of this consent.